

AMERICAN POLICY IN BOSNIA

Y 4. F 76/2: S. HRG. 103-33

American Policy in Bosnia, S.Hrg. 1...

HEARING

BEFORE THE

SUBCOMMITTEE ON
EUROPEAN AFFAIRS

OF THE

COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE

ONE HUNDRED THIRD CONGRESS

FIRST SESSION

FEBRUARY 18, 1993

Printed for the use of the Committee on Foreign Relations



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(II)

C O N T E N T S

FEBRUARY 18, 1993

MORNING SESSION

	Page
Colby, William E., Former Director, Central Intelligence Agency, Washington, DC	21
Dugan, Gen. Michael J., Former Chief of Staff, USAF, New York, NY	23
Kirkpatrick, Jeane, Senior Fellow, American Enterprise Institute, Washington, DC	7
Prepared statement	11
Nitze, Paul, School of Advanced International Studies, Johns Hopkins University, Washington, DC	6

PUBLIC MEETING

Silajdzic, H.E. Haris, Foreign Minister of Bosnia	49
Prepared statement	53

AFTERNOON SESSION

Gompert, David, RAND, Former Senior Director for European Affairs, National Security Council, Washington, DC	79
Kenney, George, Executive Director, the Center for European and Balkan Security, Consultant to the Carnegie Endowment for International Peace, Department of State, Washington, DC	77
Neier, Aryeh, Executive Director, Human Rights Watch, New York, NY	84
Prepared statement	87
Odom, Maj. Gen. William, USA, Retired, Hudson Institute, Former Director, National Security Agency, Washington, DC	67
Prepared statement	69

APPENDIX

Letter to Senator Joseph Biden From Prime Minister Mile Akmadzic	95
Letter to Senator Joseph Biden From President Alija Izetbegovic	96
Letter to Senator Joseph Biden From Prime Minister Mile Akmadzic	96

AMERICAN POLICY ON BOSNIA

THURSDAY, FEBRUARY 18, 1993

U.S. SENATE,
SUBCOMMITTEE ON EUROPEAN AFFAIRS
OF THE COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

The subcommittee met, pursuant to notice, at 10:35 a.m. in room SD-562, Dirksen Senate Office Building, Hon. Joseph R. Biden, Jr. (chairman of the subcommittee) presiding.

Present: Senators Pell, Biden, Sarbanes, Simon, Feingold, and Lugar.

Senator BIDEN. Good morning. Ambassador, welcome. How are you all? Senator Lugar and I each have brief statements, then we are going to turn to our most distinguished panel.

Today the Subcommittee on European Affairs will devote an entire day to a subject that gives rise to compelling emotion and holds a place of critical importance in the foreign policy of this new administration. Our subject is the unfolding tragedy in Bosnia.

Our agenda is a lengthy one. We will hear from a panel of American public servants with long and distinguished careers in American foreign and defense policy. We will then go into secret session to hear from representatives of the CIA and the Defense Intelligence Agency.

In the afternoon, the subcommittee will meet with the Foreign Minister of Bosnia. We will do so primarily in an open meeting in order to enable the press and the American people to hear his portrayal of the current situation in Bosnia and his articulation of the current policy of his government regarding future negotiation under the auspices of the United Nations.

Finally, the subcommittee will hear from a second panel of distinguished Americans who will give voice to perspectives that are diverse but, in each case, well informed concerning some aspect of the Bosnia question.

This administration came to office with a mandate primarily directed at domestic change, and last night the President began the arduous task of fulfilling that mandate. But any administration carries an implicit mandate to exert American leadership in the world arena. And few administrations have come to power facing a world so tumultuous, with so much promise but so much concern and danger, with so many urgent tasks requiring our attention. Of these, none is more urgent, in my view, and none more complex than Bosnia.

Last night Secretary Christopher departed for the Middle East to meet with major Arab and Israeli leaders. He will then travel to

Geneva to meet with the Russian foreign minister, and then proceed on to Brussels for consultations with our NATO allies.

In these meetings the Secretary of State will encounter a myriad of issues: the Arab-Israeli peace process, which in my view he has already taken adroit steps to salvage; the issue of Russian aid and further Russian-American partnership in disarmament; and the future of NATO as an instrument of collective and cooperative security.

But I venture to say that in all of his discussions, in the Arab and Israeli capitals, with the Russian foreign minister, and with our NATO allies, the most consistent and recurring topic will be Bosnia. For the plight of Bosnia is a subject of powerful and pervasive interest: in the Arab world, which identifies with the plight of the Bosnian Muslims; in Israel, whose citizens react viscerally to any recurrence of genocide; with the Russians, who are traditionally interested in developments affecting Serbia and who see in the breakup of Yugoslavia alarming parallels to the fate of Russia and Russians in the former Soviet empire; and with our NATO allies, who now confront the post-cold war question of what precisely the alliance is for if it proves impotent in the face of such a profound threat to European stability.

Let me emphasize, at the outset, that our purpose today is not to evaluate the Clinton administration's policy on this issue. With the administration less than a month old, its policy on Bosnia is still evolving and it will be shaped by the interaction between its own initiatives, based on diplomatic explorations now underway, and future developments that will be difficult either to predict or to control. With this policy and this administration both still in gestation, it was premature even to have an administration witness here, and that is why we did not ask any to be here today.

The purpose of this hearing is awareness and analysis. The Clinton administration, having inherited a problem of immense complexity, has responsibly and courageously determined to involve the United States centrally in the search for a just and durable solution.

For a President with a consuming interest in revitalizing the American economy, this could not have been an easy decision. But I believe it was the right decision, and I believe our task in the Senate is to provide all the support possible to make American involvement as enlightened and constructive as possible.

Last week I offered some elements of a possible Bosnia strategy in the form of a 10-point plan, on which I will ask our witnesses to comment.

No one has been paid more attention to, been more outspoken, and has amassed more knowledge and interest in the issue of Bosnia than my distinguished colleague from Indiana, Senator Lugar. I am sure he has many questions as well.

Clearly a number of elements, in the plan that I have put forward and elsewhere, are more easily said than done. My goal today is to examine the limits of the possible, as we struggle with a conflict that is wrenching the conscience of the world and the outcome of which may greatly affect the prospect of a cooperative new world order based on principles of human rights and collective security.

I welcome our distinguished witnesses, and any statement my colleague Senator Lugar may have.

Senator LUGAR.

Thank you very much, Mr. Chairman. I congratulate you on holding this hearing and I thank you for your specific leadership in this area. I look forward to working with you to explore ways in which the United States and international community can help end or at least ameliorate the suffering and agony in Bosnia.

We have a very distinguished panel this morning, and I look forward to hearing their remarks.

There has been a plethora of ideas, analyses, descriptions, formula, and remedies for dealing with the war in Bosnia. Many of these are stimulating and provocative. They cover the gamut from outright employment and deployment of military force in the air, sea, and on the ground, to total avoidance of any direct involvement by the United States.

Mr. Chairman, you and I have advocated a more proactive United States and European policy toward Bosnia, a policy which leans to the use or the threat of the use of force. I continue to believe that no fair and lasting solution in Bosnia can be achieved without the introduction of outside military force.

The latest effort at resolving the crisis stems from Secretary of State Christopher's statement last week that the United States will now become a full partner in the search for an international negotiated solution. I welcome that statement. I hope it will be helpful. As I read it, the United States is now fully committed to trying to forge a just settlement to which all parties can agree.

If there is a settlement we are prepared to support a large international peace keeping force, including U.S. forces, to insure that it is enforced. We will not be commenting from the sidelines or playing around the edges, we will be proactive. We also would help determine the standards required for a fair and just settlement.

We are in the game, at the table, and we will stay the course until there is a just solution, as the Secretary has pointed out.

Let me add just a few general thoughts or questions and occasional skepticism about our debate on the conflict in Bosnia. First, I do not believe the conflict in Bosnia should be seen as a Bosnia crisis alone, as heinous and repugnant as it has been. There are more than sufficient grounds for international outrage based on ethnic cleansing or genocide, and other barbarous actions outside Bosnia as well as inside Bosnia.

I also do not believe that the war in Bosnia should be conceptualized as just a regional Balkan crisis. Rather I believe it is a European crisis with global implications. It is of that magnitude. It has global ramifications because it touches it all, and we should respond with that sense of significance in mind.

Second, we need to consider whether or not the war in Bosnia can ever be settled to the satisfaction of all parties involved. Even with a settlement, Muslims, Croats, and Serbs will have to live with one another. I wonder if this is possible. The track record to date does not hold out much promise. And if the judgment of experts is that a fair and lasting negotiated settlement is not possible, or if these three ethnic groups cannot live with each other

peacefully, then we should be considering how best to prevent the conflict from expanding into Kosovo, Macedonia, and beyond, while making plans for caring for the millions of displaced persons and refugees. At minimum we should be working not only to save Bosnia, but also to contain the conflict in Bosnia.

Third, we need to factor into the equation the likelihood of a renewed war between Serbia and Croatia, on top of the war in Bosnia and the possibility of war in Kosovo and Macedonia. Many, including myself, have warned about the threat of a chain reaction of conflict spreading into Kosovo and Macedonia. If this happens, other states could intervene in ways reminiscent of World War I.

But 1993 is not the same as 1914. Today there are none of the entangling alliances committing major powers to come to the aid of one state or another. It would be useful to tease out more fully and more clearly the validity of predictions that an expanded war in Kosovo or Macedonia will inevitably spiral out of control.

Fourth, apart from its feasibility, how practical is it for the United States to advocate the use of military force in Bosnia if our allies and U.N. Security Council partners do not share the same sense of urgency and are unwilling to share the burden of cost and manpower? Will the use of military force in Bosnia, where there is a population willing to fight aggression and to defend themselves, be more effective than in Kosovo or Macedonia where the war could spread? Do our options become even more constrained if the war expands beyond Bosnia?

And finally, Mr. Chairman, it would be helpful if members of the distinguished panel or other students of the war in Bosnia were to spell out the economic, political, security, and moral impact of the war in Bosnia on the rest of the world. We need to assess the cost to the United States and to our friends and allies of inaction or half steps, just as we have to assess the awesome cost of using military force.

What are the costs of inaction, for example, to the U.S., to the U.N., or to NATO credibility? And what are the costs of inaction to our professed commitment to democracy and democratic values? What are the costs of inaction to our consciences, our sense of worth as a people and to our moral standards? What are the costs to our security and to the security of Europe and to our commercial interests there? Can we afford economically, politically, morally, and securitywise not to find a fair and workable solution to Bosnia? And can, in fact, a satisfactory solution be found through international diplomacy alone?

Let me conclude, Mr. Chairman, by saying that I have listened to your earlier comments and have read your proposed strategy to help solve the Bosnian conflict. Your ideas strike me as reasonable suggestions. I applaud you for putting them on the table for discussion, and I would like to associate myself with them for the purposes of our discussion today.

Thank you very much.

Senator BIDEN. Thank you very much, Senator.

I welcome one of our newest members. It is an honor to have him here, a pleasure. I hope that he will enjoy serving on this committee. I welcome Senator Feingold.

Senator FEINGOLD. Thank you, Mr. Chairman. I am very pleased to be a new member of the subcommittee and look forward to working with you and the other members.

Mr. Chairman, I congratulate you on holding these timely hearings, and for the thought and energy you devoted to this dire problem. I have had a chance to briefly review your plan, and fully agree with you that Serbian aggression must not under any circumstances be rewarded or appeased. I am also skeptical about the United States ground troops entering the conflict, and welcome your suggestions for stronger, more effective measures.

Mr. Chairman, we are here today because the post-cold war breakup of the artificial multiethnic states of the Socialist Republic of Yugoslavia has exploded into literally a sadistic civil war. We are here today because ethnic cleansing, or as some have said, genocide, has once again gripped Europe. It is incumbent upon us, then, to figure out in some way how to realize our promises of the 1940's, that "never again" would we allow such horrors to occur.

There were efforts to reach a solution peacefully and democratically. Cease fires were negotiated and then quickly broken. U.N. peacekeeping troops were deployed to protect besieged populations, and thousands of people are still dying, starving, suffering, and living in terror. U.N. resolutions calling for sanctions against Serbia and institution of a flight ban over Bosnia have thus far lacked the power of enforcement.

I commend the Clinton administration for realizing that these efforts have simply not worked. In my opinion the 6-point plan announced last week by Secretary Christopher signals a more engaged and more responsible United States policy toward the Balkan Republics. Most importantly, it rejects the concept of appeasement and will return negotiations to the premise that a solution has to be endorsed by all the parties involved.

I do however, Mr. Chairman, support a seventh point. Lift the arms embargo against Bosnia. The Serbs have inherited the massive weapons arsenal from the Yugoslav army. Therefore, the arms embargo favored them from the start. In fact the United Nations embargo has only denied food, water, electricity, and weapons to the Bosnian Muslims and Croats under siege by the Serb minority in Bosnian territory.

Quite frankly, Mr. Chairman, Bosnians are left without diplomatic or military protection. No one has been able to protect them from aggression. No one has been able to protect them from wholesale slaughter. Arming desperate populations is not a policy I would generally advocate. However, as the chairman recognized as early as last year, in this extreme case it is the just course to follow. At the very least Bosnians are entitled to self defense.

Mr. Chairman, I look forward to the testimony today of our distinguished panel. Though I know they will not all agree with me that the arms embargo should be lifted, I am interested in hearing their views on what else can be done. I also think that Senator Biden has proposed some valuable courses of action, so I am eager to hear your assessments of his ideas as well.

Thank you, Mr. Chairman.

Senator BIDEN. Thank you very much, Senator.

Before I introduce our witnesses I will welcome the chairman of the full committee who indicates at this moment he does not have a statement that he wishes to make.

But I would just note to Senator Lugar this morning's headlines in various papers in the Nation—Bosnia's neighbors nervously seek pacts. And this particular story is about an attempt by at least one piece of the former country of Yugoslavia to have much stronger ties and even seek formal agreements with Turkey for their own security. I think it is only just beginning.

But at any rate, we do have, a most distinguished panel. I would like to introduce them in the following order.

Ambassador Paul Nitze, a longtime arms control negotiator, diplomat of great distinction, a man who, as the old joke goes, has probably forgotten more about most of these issues than many of us are going to learn. He is now based at the school that bears his name, the Paul Nitze School of Advanced International Studies. We welcome the Ambassador, and thank you for your willingness to testify, Mr. Ambassador.

And Ambassador Jeane Kirkpatrick, former U.S. Ambassador to the United Nations, currently a Senior Fellow at the American Enterprise Institute, and well known to all in this committee and, quite frankly, all in this country who have any interest in foreign policy matters.

And Director William Colby. I realize how long I have been here, Director, when I remember that one of the first hearings I ever attended was one where you briefed us, and that was over 20 years ago. Former director of the Central Intelligence Agency, now serving as a consultant in Washington, and a man with a good deal of insight and background in matters of which we are going to speak.

And General Michael Dugan, former Air Force Chief of Staff, who is now serving with the Multiple Sclerosis Society in New York City, a man who knows a great deal about the use of airpower and has written on and has spoken to the issues involving and relating to Bosnia.

I welcome you all, and I would ask that you make your opening statements in the order that I recognized you, Ambassador Nitze, Ambassador Kirkpatrick, Director Colby, and General Dugan. And then when you are all finished we will do is then move to questions.

Ambassador Nitze.

STATEMENT OF PAUL NITZE, SCHOOL OF ADVANCED INTERNATIONAL STUDIES, JOHNS HOPKINS UNIVERSITY, WASHINGTON, DC

Ambassador NITZE. Mr. Chairman, it is a pleasure to appear before this committee again. I was originally reluctant to appear before you, not being that well informed on Yugoslavia or Bosnia, but over the years I have developed an approach to complicated issues which sometimes has been helpful, and that is to attempt to work out a strategic concept and then to test out the tactical corollaries of that concept for practicality and cost effectiveness.

Looking at Yugoslavia and Bosnia, what is the heart of the problem there and what strategic concept comes to mind to deal with it? The heart of the problem seems to me to be Milosevic and his

two gangster associates. He is the worst kind of Marxist-Stalinist tyrant. He is not only ruining what remains of Yugoslavia, including Bosnia, but he is also ruining Serbia itself. Much of the youth of Serbia has been killed. Those who remain alive are reported to have become totally brutalized.

Economically Serbia is a disaster area. It is suffering from hyperinflation with little prospect of reversal. Milosevic is guilty of mass murder, genocide, and organized mass rape of thousands of women.

There is an obvious and simple strategic concept. That is to get rid of Milosevic and his two gangster henchmen, preferably by the Serbs themselves but, if necessary, by whatever means are practicable.

The tactical objectives are many: No. 1, the most important are political and psychological. They include deepening and widening the coalition of those who are against Milosevic while isolating him and narrowing the number of his supporters and thus his political base; No. 2, they include augmenting and exacerbating the economic problems of Milosevic and his supporters. This can include reinforcing the blockade of the areas controlled by Milosevic, denying him financial support, and disrupting his logistic support and his production facilities by selective air attack; and No. 3, we should also participate with our NATO and Russian allies in using other forms of military force to help implement U.N. resolutions concerning Serbia and Bosnia. It would be unwise to commit significant ground forces in Yugoslavia. Therefore, we should not do more than our fair share as participants with our NATO and Russian allies in military ground action. One should note that it is unlikely that many of them will be willing to commit significant forces.

The above program is unlikely to produce quick results. Persistence and perseverance are likely to be the keys to success. Eventual success, if we and our allies keep at it, should however be almost certain.

Now, as to recommendations for U.S. action, I believe our public statements should be in low key and should stress participation with our allies. We should shy away from any claims of leadership.

My view is that the positions taken by the administration and by you, Mr. Chairman, are consistent with the above.

Thank you, Mr. Chairman.

Senator BIDEN. Thank you very much, Mr. Ambassador.

And now, Ambassador Kirkpatrick.

**STATEMENT OF JEANE KIRKPATRICK, SENIOR FELLOW,
AMERICAN ENTERPRISE INSTITUTE, WASHINGTON, DC**

Ambassador KIRKPATRICK. Thank you, Senator Biden, Senator Pell, Senator Lugar, and Senator Feingold. I am pleased to be here. I congratulate you on calling these hearings on this extremely important subject, and I thank you for inviting me to testify.

I have been deeply concerned about this issue almost since the movement of Serbian troops against Croatia at the time of courageous declaration of its independence, and have followed it as closely as I could since then. I believe that the United States has both strategic and humanitarian interests in what was Yugoslavia.

Our strategic interests, it seems to me, are quite clear. They are manifest in our participation in World War I and in World War II and in the long decades of the cold war afterward. Our own society is grounded in European civilization. We share a civilization. I do not believe countries either thrive or survive without the survival of the civilizations of which they are a part.

I do not believe that Europe can be seriously threatened from within or without the United States experiencing a common threat. I believe that the presence of another violent, expansionist, racist dictator in the heart of Europe is dangerous not only to his victims but to the peace and freedom of many others.

I agree with Ambassador Nitze that Slobodan Milosevic has already demonstrated that he is a dangerous, violent, racist dictator. I have been struck by, in the case of Milosevic as well as of Saddam Hussein, with the extreme, and one might even say gratuitous, brutality of these two leaders and of their military campaigns. I say gratuitous, because so much of the torture and rape and murder of civilians in which the forces of those two dictators have engaged has been entirely unnecessary to the military objectives they have proclaimed to the defeat or the conquest of their enemies.

I think that both these military operations more closely resemble sadistic orgies, than they resemble the rational disciplined use of force that characterizes modern military organizations. I think that is significant and that we should take note of that.

They have shown no more regard for the laws of war in the pursuit of their objectives than for the laws of civilization. A truly unbounded appetite for conquest and violence has defined both of these campaigns.

Now, why compare them? Because I have been very struck, as perhaps you have as well, with the difference in the response of the United States and of our allies and all of us through the United Nations, to these two problems. We know when Iraq invaded Kuwait, the United States and its European associates and most other member states of the United Nations Security Council demanded immediate withdrawal of Iraq's forces and compensation of the victims for aggression. The aggressor was identified and action was demanded. The Security Council issued an ultimatum with a deadline and a warning that all necessary force was authorized to secure compliance with its ultimatum.

When, after the military campaign and Iraq's withdrawal from Kuwait, Saddam Hussein's policies caused enormous misery to Iraq's Kurds and created a new threat to international peace and security, the Security Council proclaimed an unprecedented, and I think justified, right to intervene on grounds that massive violations of human rights which impinged on borders as in Iran and Turkey, constituted a threat to international peace and security.

When the Security Council promulgated a no-fly zone to prevent the annihilation of Iraq's Shiite population, the United States and other members of the Security Council immediately authorized its enforcement and took credible steps to insure its enforcement. And even though Saddam Hussein is, alas, still in power in Iraq and the people of Iraq, Kurds and Shiites and Sunnis alike, suffer from his rule, I think we could agree that the management of the prob-

lem of Iraq's aggression against Kuwait is the most successful case ever of a collective response mounted through the United Nations.

It raised hopes that we had laid the foundations of a new world order, but I think such hopes have been disappointed in the response to the violence in what was Yugoslavia and to the repression there. When Serbia launched a violent attack on a nearly independent Croatia, the Security Council adopted a policy of careful neutrality.

Its resolution spoke not of aggression, but of "the fighting in Yugoslavia." And this habit of careful neutrality persisted even after Croatia, Slovenia, and Bosnia-Herzegovina were recognized as sovereign states and were admitted to the United Nations. I had thought perhaps that would change that response, but it has not. Although the Security Council has focused again and again on the various aspects of war and violence and ethnic cleansing, it has never issued an ultimatum nor threatened an action to enforce a resolution to stop Serbian aggression against non-Serbs, nor repression against non-Serbs, neither in Croatia nor in Bosnia, nor in Kosovo where that repression is already serious.

Instead the Security Council has taken a series of ineffective actions. It has imposed an arms embargo whose principal effect has been to deprive Bosnia's Muslims of weapons needed for self defense. I agree with you, Senator Biden, certainly, on that. It has sent peace makers to negotiate cease fires which were violated as soon as they were negotiated. It has authorized humanitarian assistance for Bosnians under siege and shelling, only to have its delivery blocked. And when the delivery is blocked, unfortunately, to accept that blocking as if it were somehow the fault of all and as though it were a punishment of all, including those on the verge literally of death through starvation, to withdraw support.

It has demanded access to prison camps and has taken no action when that access was denied or selectively granted. It has dispatched U.N. officials to assist more than perhaps a million and a half refugees created by the violence, but has taken no steps to prevent the creation of more refugees.

Now, the United Nations is only its members, so when I say this I am not criticizing the United Nations. I am commenting on the failure of the member states of the United Nations Security Council to take the kind of effective action in the case of what was Yugoslavia that they in fact took in the case of Iraq. I think this is the most important failure in the world's response to the violence with Slobodan Milosevic has imposed on the people of his region. The most important failure is a certain lack of seriousness on the part of the member states of the United Nations in their response to this very serious aggression.

In the case of Saddam Hussein there was great seriousness, gravity, in the response of the member states of the Security Council from the beginning. In the case of Croatia, Bosnia, Kosovo, there is still not that gravity and seriousness of response.

What has been achieved? We know what has been achieved. We know that the former Prime Minister of Poland, Mazowiecki, was invited to survey the human rights situation in Bosnia, and after very careful work, painstaking investigation, provided a really shocking, deeply shocking, disturbing report about the extent of

murder, rape, and torture and concentration camps that have been imposed on the Bosnian people, only to have his report accepted with no action whatsoever, again demonstrating I think a fundamental lack of seriousness in the treatment of this issue. Prime Minister Mazowiecki has complained at the human rights commission meetings in Geneva just last week that such a response to a serious investigation of an enormously agonizing problem is discouraging to future investigators and to him personally, quite rightly.

So we have so far achieved virtually nothing through collective action on this problem, and that is too bad. We have not done any better, it seems to me, as individual nation, nor by the way, and I think this is a bipartisan problem obviously and it is rapidly, I fear, going to become a bipartisan failure. I will turn my attention to that.

I have offered repeated criticisms of the treatment of this problem, the response to this problem by the previous administration, by the Bush administration, and I regret to say that I have already found myself offering criticisms in the response of the new administration to this problem. I think the Vance-Owen plan is seriously deficient.

It makes the principal victims of the war the principal victims of the peace plan. It rewards ethnic cleansing by legitimizing Serb control of the land from which Muslims have been driven. It is drawn, I think, on the principle that might makes right, and Serbs are awarded the areas from which they have driven the Muslims. They are given political representation far beyond their numbers.

A legitimate Bosnian government which is a member state of the United Nations is denied existence under the Vance-Owen plan, and I think Bosnia's foreign minister was entirely justified when he said, "We as a member of the United Nations will never accept the abolition of our constitution, our legality, which is based on free and democratic elections."

I believe that to use force, as the Vance-Owen plan proposes, to impose the settlement which they have proposed would only compound the failures of the plan.

And finally, I believe that we could do better. I think the Christopher plan is not as bad as the Vance-Owen plan. The Christopher plan at least distinguishes between victims and aggressors, and it makes clear that we should be on the side of the victims and not on the side of the aggressors. And the Christopher plan makes clear as well that the United States will not be party to the use of force to impose a plan against the will of people who have already suffered so much fighting just such an outcome.

It is an improvement over the Vance-Owen plan in its proposal to enforce the no-fly ban, but it stops short of an adequate response in fact, and certainly stops short of the proposals made by candidate Clinton during the long campaign for president. I have done a rather careful comparison of those campaign commitments and the Christopher plan, and I would only say I find it disappointing. I am certain that the Bosnians will find it much more disappointing, and the Kosovos.

Finally, I would like to say that I believe I find myself in greater agreement with Senator Biden's 10 points, which I had not seen

until this morning. It seems to me that they address the deficiencies and correct those of the Christopher as well as the Vance-Owen plans. And I have myself identified certain points that it seems to me are steps that should be taken.

First, I think we should make clear that we will deliver humanitarian assistance by force if necessary. All necessary means should be employed to deliver the humanitarian assistance which was so long ago authorized by the Security Council and which is so desperately needed.

Second, we should enforce the no-fly ban over Bosnia. I agree with Senator Biden's proposal that we should remove heavy weapons and assure the removal of heavy weapons which have been pounding civilian populations.

Third, I believe that we should secure, not simply demand, but secure, the immediate release of the 70,000 to 100,000 Bosnians and Croats held in concentration camps in Bosnia and Serbia. My understanding is that we know a good deal about those camps, and everything that we know is appalling.

Fourth, I think we should demand, and here I go beyond, not beyond candidate Clinton who made the same proposal but beyond any other proposals that have been made this morning, I believe that we should demand the right of refugees to return to their homes, and restore to former property owners in Bosnia and Croatia property seized by force during ethnic cleansing.

Of course the United States should continue to deal with the legally constituted and recognized government of Bosnia.

I think that if it is judged that new resolutions specifically authorizing the use of all necessary means are required, then they can be passed by the Security Council as they were in the case of Iraq, thus providing enforcement of the resolutions which the Security Council has already passed.

Second, however, should it prove not feasible or possible to secure Security Council action, then the use of necessary force for these purposes, these very limited purposes, is warranted under article 51 of the United Nations Charter which provides for the right of self defense and collective self defense in protecting a people against aggressive, violent actions by another. Then, and only then, it seems to me, after these steps have been taken would it make sense to introduce U.N. peace keepers into the region.

I do not think that the use of American ground forces would be necessary to deal with this problem, though I have no objection to the U.S. participation in peace keeping forces if that seems desirable at some later point. I do believe that the highly focused, selective, limited and restrained use of U.S. or NATO or EC or Franco-German, whomever is competent, airpower to enforce some of the provisions that have already been provided by the Security Council is appropriate.

Thank you very much, sir.

[The prepared statement of Ambassador Kirkpatrick and additional material follow:]

PREPARED STATEMENT OF JEANE J. KIRKPATRICK

Even before he met with new U.S. Secretary of State Warren Christopher earlier this week, Lord David Owen, European Community negotiator for the Balkans, had charged that it was probably the fault of the United States that war still rages in

Bosnia. The Clinton administration, he said, was giving hope to beleaguered Bosnian Muslims. That hope encouraged them to resist the "peace plan" developed by Owen and his cochair Cyrus Vance, who serves as the U.N. Secretary General's special representative in the matter of the Balkans.

It is easy to see why Bosnia's Muslims would resist. The Vance/Owen plan divides Bosnia into 10 ethnically distinct, autonomous provinces: three would be dominated by Croats (who make up 17 percent of the population), three by Muslims (who constituted 43 percent of the population before Serbian "ethnic cleansing" drove them from their homes), three by Serbians, and Sarajevo, the capital, would be jointly administered. The elected government of Bosnia (now headed by President Alija Izetbegovic) would be replaced on the signing of a cease-fire by a nine-person interim commission whose members would be equally drawn from each of the ethnic groups.

Only the Croats accepted the plan. Bosnian Serbs have been on again, off again about the plan since it was first presented. They want a corridor connecting Serbian enclaves to Serbia.

Obviously Bosnian Muslims, who are the principal victims of Serbia's war, are also the big losers in this proposed peace settlement—in spite of Owen's declaration to the London Financial Times that "what has happened in the former Yugoslavia must be reversed * * * we are not going to have the Muslims treated like the Jews once were in Europe."

The Vance/Owen plan rewards "ethnic cleansing" by legitimizing Serb control of land from which Muslims have been driven. It also rewards Croats who are just now moving militarily to consolidate control over lands assigned to them under the Vance/Owen plan—on grounds that Muslim extremists and fundamentalists threaten the national identity of the Croatian community in Bosnia. At the same time Croats are seeking to reclaim by force Serbian enclaves in Croatia set up in the cease-fire negotiated under U.N. auspices.

"We will liberate the last inch of Croatia from Serbian Chetnike occupation," said Croatian President, Franjo Tudjman.

Events in Croatia have not caused Vance and Owen to doubt that their peace plan for Bosnia can end the fighting—if it is imposed by the U.N. Security Council. President Clinton, said Gwen "should stop all of this loose talk about using force, make it clear to Izetbegovic that he's got no real alternative to these negotiations * * * then provide American troops as part of a NATO force."

"Please don't do it," pleads Bosnia's president.

The plan is drawn on the principle that might makes right. Serbs are awarded most of the areas from which Muslims have been driven. Serbs are given political representation far beyond their numbers. The legitimate Bosnian government is dismantled. The democratically adopted constitution is scrapped. Haris Silajdzic, Bosnia's foreign minister, did not exaggerate in saying, "We, as a member of the United Nations, will never accept the abolition of our constitution, our legality, which is based on free and democratic elections."

To deal with such resistance, Vance and Owen have informally proposed to press for sanctions against any group blocking the accord. To impose the plan and enforce its implementation, action by the Security Council, including the five permanent members, will be required. The British and French governments have signed on. But so far the Clinton administration has disappointed Vance and Owen. Secretary of State Christopher is reported to have described the Vance/Owen plan as "legitimizing the ill-gotten gains from ethnic cleansing." But he promised to study the plan.

"It is going to impede us if they don't get going soon," Owen commented.

The Clinton administration is not the only impediment to the acceptance of the Vance/Owen proposal. The Conference of Islamic States supports lifting the embargo on arms for Bosnia. The French government is not enthusiastic. LeMonde reports that French officials are discussing with the United States a proposal for joint military action to enforce the no-fly zone, silence the heavy artillery bombarding Sarajevo and put Sarajevo under international protection. In fact, it is not certain that a majority of votes in the Security Council could be mustered to support the Vance/Owen plan and even less likely that the plan could be enforced if it were endorsed by the Security Council.

The boundaries of the proposed ethnically distinct cantons are arbitrary and unacceptable to all parties. This agreement would last only as long as the balance of power among the three ethnic groups lasts. That may not be long. The arms embargo, which has never prevented the supply of weapons to Serbia, has begun to leak at the other end. As the success of the Croats demonstrates, Serbia's absolute military advantage in weapons is diminishing.

The European reported this week that Croatia is now acquiring arms from Hungary, Italy, Turkey and other Eastern European states, and that Iran is now supplying a significant amount of arms to Bosnia. By sea, by air and by truck, weapons are hauled through Croatia (where the Croats take a percentage) and into Bosnia—in spite of fear the growing influence of Iran in Europe and of the growing radicalization of Bosnia's Muslims.

Sometimes, as Winston Churchill remarked, one's best is not good enough. Vance and Owen have labored long, but this plan is not good enough. It is not practical, enforceable or fair. The United States should not become party to an effort to impose it.

EMPOWER AMERICA

How does President Clinton decide which campaign promises to keep?

Candidate Clinton called for determined American action—if necessary—to end Serbian violence and ethnic cleansing. But President Clinton has announced his support for the deeply flawed Vance/Owen peace process.

Candidate Clinton demanded that Serbia's heavy weapons be put under U.N. supervision, and that Bosnian refugees be permitted to return to their homes. But President Clinton has concluded that ethnic cleansing cannot be reversed, and has embraced a plan that permits Serbs to keep conquered Bosnian territories.

Candidate Clinton promised that continued Serbian interference with relief convoys would be met with U.S. air strikes. But President Clinton merely "urges" that aid be permitted to flow to those in desperate need.

Candidate Clinton, "outraged" by the revelations of concentration camps in Bosnia, called for "collective action, including the use of force, if necessary," to stop the killing in these camps. But President Clinton does not mention the 70,000 to 100,000 prisoners in Serbian concentration camps.

Candidate Clinton understood that the arms embargo favored Serbian violence and conquest. But President Clinton no longer speaks of helping Bosnians defend themselves.

As if that were bad enough, President Clinton seems to have promised American ground troops to help enforce the gains of ethnic cleansing. Introducing thousands of peacekeepers where there is no peace will prove an expensive, ineffective, possibly dangerous substitute for effective action.

The Clinton's plan is not as bad as the Vance/Owen plan. It distinguishes between the aggressor and the victim and it names the aggressor. That's progress. It proposes to enforce the no fly zone, by force if necessary. It rejects the suggestion of Vance/Owen plan be imposed on the parties by force, if necessary. It promises to tighten the notoriously ineffective embargo on Serbia.

Like Candidate Clinton, President Clinton recognizes that vitally important issues of conscience, of strategic interests, and of international law are at stake in Bosnia. But the palliatives proposed can neither assuage our conscience, protect our interests, nor defend the principle that borders may not be altered by force.

The solution proposed by the Clinton administration is no solution. it does not create an international standard for the fair treatment of minorities. It does not strengthen institutions of collective security. It does not raise the price for aggression. It should be rethought.

Unfortunately in this first important action in foreign policy, President Clinton sacrifices the principles invoked by Candidate Clinton to a policy of appeasement which will prove no more successful than previous efforts to appease aggressors.

IRAQ'S INVASION OF KUWAIT

The most striking aspect of Iraq's invasion of Kuwait was its extreme and gratuitous brutality—gratuitous because so much of the torture, rape, murder of civilians was unnecessary to the defeat or conquest of Kuwait. The same extreme excessive violence has characterized the Serbian attack on Bosnians, Moslems, and Croats during the last year. Both these military operations have more closely resembled sadistic orgies than the rational disciplined force characteristic of modern military organizations and have shown no more regard for the laws of war than the laws of civilization. This unbounded appetite for conquest and violence defines these leaders and these regimes.

It is clear from the nature of Saddam's attack on Iran, on Kuwait, on Kurds, on Shiites that he is a man who not only desires to govern, he needs to make war. He not only desires power, he desires destruction. And it is clear from Milosevic's campaigns against peaceable people in Croatia, Bosnia, Kosovo that he is motivated not merely by nationalism but by fanaticism, and not merely by fanaticism but by ambition that has become a lust for violence.

These leaders engaged in a pursuit of total power that obliterates those whom they conquer. They conduct a special kind of politics and war, a kind of politics that was articulated by the Mongol nationalist Genghis Khan—"a man's highest job in life is to break his enemies, to drive them before him, to take from them all the things that have been theirs, to hear the weeping of those who cherished them, to take their horses between his knees, and to press in his arms the most desirable of their women."

Obviously, such an appetite for power is dangerous to all those who have the misfortune to encounter it. It is dangerous not only because the men and their associates rape, murder and steal, it is dangerous also because it reminds other imperfectly civilized men of these forbidden pursuits and potential gratifications.

That is one important reason that such men and such violence must not be permitted to succeed. There is another equally important reason that men and movements such as Saddam Hussein and Milosevic must be contained. It is because they cannot contain themselves.

Saddam Hussein cannot accept limits on his power—except under extreme duress. This is why he systematically murders loyal lieutenants on whose skills he becomes dependent. It is why again and again he defies and provokes U.N. inspectors who arrive to monitor the terms of the armistice. But his withdrawal in the face of Desert Storm demonstrated that he is not legally insane. He can respond to overwhelming force or the threat of force if it is credible enough. George Bush developed credibility. So far no one has stopped Slobodan Milosevic and his Serbian allies from their violent binge. By now they have no reason to suppose anyone will.

The European Community and the United Nations have demanded an end to ethnic cleansing, and an end to attacks on civilians. They have demanded cooperation of all parties to permit the delivery of humanitarian assistance to Sarajevo and other parts of Bosnia-Herzegovina. They have called for a no fly zone. But ethnic cleansing has continued and the no fly zone has not been enforced. Humanitarian assistance for Bosnian towns has not been permitted to reach starving Bosnians.

And, proving that Milosevic's Greater Serbia is as large as his ambition, Serbian repression of the population of Kosovo is underway and over two hundred thousand have already fled from this land Milosevic claims for Serbia. Such men do not negotiate "political" solutions. They just go on expanding their power until they encounter an overwhelming counter force.

That being the case, what should the United States do?

First, deliver humanitarian assistance, by force if necessary.

Second, enforce the no fly ban over Bosnia.

Third, secure the immediate release of Bosnians and Croats held in concentration camps.

Fourth, demand the right of refugees to return to their homes. Restore to former owners property seized by force during "ethnic cleansing."

If it seems desirable and feasible a new resolutions specifically authorizing the use of all necessary means could be passed by the U.N. Security Council. If not help could be offered under article 51 as self-defense and collective self-defense. Then and only then might it make sense to introduce U.N. peacekeepers into the region. Until then determination ultimata and sharply focused airpower should prove more useful.

What I advocate for Bosnia is what President Bill Clinton advocated when he was a candidate. Clinton should reread his old speeches. They recognized that like Saddam Hussein, Milosevic and his friends are very dangerous but not legally insane. If the price of aggression is high enough—they will cease aggression.

Failure in the Balkans

(By Jeane J. Kirkpatrick)

MINUNDERSTANDING THE ISSUE IN WASHINGTON—JULY 8, 1991

The U.S. government was not the only democracy that found it necessary to rethink and retract its early position on the Yugoslav conflict. Early in the developing crisis, the European Community and most of its member states, including the United Kingdom and France, made declarations that gave priority to national unity and territorial integrity over self-determination for the Yugoslav republics. Only Austria and Germany, which have had the closest historical association with Croats and Slovenes, expressed from the start sympathy with the aspirations of the people who were threatening secession.

Although American officials were not alone in attempting to help hold Yugoslavia together, no government was more concerned than the U.S. Department of State

with the possible effects of the collapse of central authority in Yugoslavia. Public and semi-public comments, official and semi-official remarks predicted dire consequences if Yugoslavia were permitted to succumb to nationalist passions and separatist tendencies. Officials spoke on background about "blood baths" and "chaos" that might accompany secession.

Secretary of State James Baker traveled to Belgrade and came out strongly in favor of the "unity and territorial integrity" of Yugoslavia. He also warned that the instability and the breakup of Yugoslavia could have some very tragic consequences, not only [there], but more broadly in Europe.

While spokesmen for the European Community reflected aloud that Yugoslavia was the business of the EC and not of the United States, they took the same position. Like Baker, they warned that no diplomatic recognition would be forthcoming should Slovenia and Croatia secede. Like Baker, they warned that economic as well as political development would be endangered by separation.

Europeans and Americans alike reacted as if preservation of the Yugoslav state's sovereignty and territory was the central political value. Like European governments, the Bush administration then seemed shocked when Yugoslavia's central government used force to crush the rebellion against the authority others had attributed to it.

The reactions changed once force was introduced, and Austrian Chancellor Franz Vranitzky remarked: "I don't want to name names, but anyone who still talks of the need to maintain the territorial integrity of Yugoslavia fails to see that the problem is now quite different."

The State Department was not long behind the British, French, and the rest of the EC in making it clear that use of force by the Yugoslav central government was also not acceptable.

As Americans prepared to celebrate the Fourth of July, State Department spokeswoman Margaret Tutwiler was affirming that the U.S. government supported the "national aspirations of the Yugoslav people" and that, in the U.S. view, it is "up to the Yugoslavian people themselves to determine their future, their internal, their external borders."

Of course, Americans have powerful reasons to be the first to understand that "in the course of human events" it may become "necessary for one people to dissolve the political bonds which have connected them with another." Americans have special reason to understand that it "is the right of the people to alter [their government] or to abolish it, and to institute a new government." We wrote it into our Declaration of Independence.

The reason that Americans and their government should prefer self-determination over territorial integrity as a political value is that self-determination is part of government by consent. Government by consent is a right of persons. Territorial integrity is an attribute of states.

The principle involved in the secession of Slovenia and Croatia is self-government. The legitimate interest of the United States and the European governments in this question is maintaining peace. It is not in the borders of Yugoslavia per se.

The point must be emphasized because, on several occasions in recent months, the U.S. government has given or appeared to give priority to the preservation of states and their "territorial integrity."

In Iraq, when the unexpected cease-fire was imposed, U.S. government spokesmen explained that the decision resulted in part from a desire to preserve "the territorial integrity" of Iraq in order to avoid creating a vacuum of power. The risks of "chaos" were judged to be greater than the risks of genocide.

Again in Ethiopia, the U.S. government intervened to prevent establishment of an independent Eritrea and to preserve the "territorial integrity" of Ethiopia.

But, of course, it is not for the U.S. government to preserve structures established by monarchs and dictators. It is for peoples themselves to make decisions about their governments.

Obviously, many more such problems are already on the horizon—in the Baltics, in Georgia, throughout the Soviet Union.

In addressing these problems, it is important that the U.S. government have its priorities straight. And the only priority acceptable to American principles and interests in these cases is these cases is the priority of freedom.

The United States was founded by people who risked order for freedom. The American Civil War confirmed those priorities and those principles. U.S. foreign policy in 1991 should do no less.

"Milosevic plays by different rules than other European leaders," a European diplomat said last week of Serbia's military leader. According to the diplomat, this "slickest con man in the Balkans" used his "extraordinary personal charm" to deceive UN envoy Cyrus Vance, European Community mediator Lord Peter Carrington, and UN peace forces director Marrack Goulding.

These men thought Slobodan Milosevic was serious about the successive peace talks and cease-fires in which they involved him. "He can utter the most egregious falsehoods with the appearance of the utmost sincerity," another senior European diplomat added.

How quickly diplomats and international lawyers are misled by the likes of Milosevic (and the Ayatollah Khomeini and the Argentine generals and Saddam Hussein). It is difficult for the civilized leaders of civilized governments to believe that the man across the negotiating table is about to bomb civilians, wipe out families and towns, and break solemn agreements. It is difficult to conceive that the smiling leader who is offering assurances of his peaceful intentions is a political psychopath who will respond only to force.

Eventually, though, the reality emerges. Now, at last, Western diplomats think they understand Milosevic's violent behavior. Thus, to protest, the European Community has withdrawn its military monitors and the United States has withdrawn its ambassador, to wait him out in a safer place.

"We are risking too much," Reuters quoted the EC missions leader as saying. "There is wrong behavior toward us, and some people are out of control. I have no right to put my people in danger * * * Some have wives and children."

As mortar and tank shells bombard neighborhoods of Sarajevo and snipers pick off anyone in sight, Europeans and Americans announce they will punish Milosevic. They will isolate his new Yugoslav state. They will impose economic sanctions. They will deny the new state membership in all international bodies.

And, from a safe distance, they will wait while the sanctions do their work. Meanwhile, Milosevic's troops slaughter Slavic Muslims, more than 1,000 of whom have already perished in the Serbian effort to seize Bosnia-Herzegovina.

The American response is no more heroic—or helpful—to the victims of Serbian violence than that of the European Community. The State Department announced that, in addition to recalling the ambassador, the United States will join in diplomatic efforts and economic sanctions.

"But we are not about to get out in front of the Europeans. They must define the distance and set the pace for the international community in dealing with Yugoslavia," a high-level State Department official commented to me last week while requesting anonymity.

His heroic lines could as easily have been uttered when Mussolini invaded Ethiopia or when Adolf Hitler marched into the Rhineland.

"There's no percentage in injecting yourself in the cross-fire between people intent on killing each other and yelling 'Stop' when they're not listening. We had to fall back on the idea that there wasn't much we or anyone could do until they got the blood lust out of their system and became more willing to listen to reason," he said.

How readily the will of the international community gives way before violence. How flimsy the structures of conflict resolution and peacekeeping turn out to be. How limited the Western commitment to collective security is when confronted with guns and determination—even when slaughter and civil war occur in the heart of Europe; in the very city where World War I was born.

Let us not speak, then, of collective security except as a dream. Collective security depends on having force and will available when mediation and diplomacy fail. Without the option of force to deal with force, there is no collective security. Neither diplomacy nor economic sanctions are an adequate shield against tanks and mortars.

There is anarchy today in Yugoslavia. There is timidity in Brussels and Washington. So let us not speak yet of a new world orders. It remains to be built.

RECREATING THE WARSAW GHETTO—JULY 19, 1992

"We have reached the end," Bosnian President Alija Izetbegovic told French writer Bernard Henri Levy early this month. "We have no food, no arms, no hope. We are the Warsaw ghetto. Will the world once more leave the people of the Warsaw ghetto to perish?"

"We are awaiting death together. Please tell the world that we beg them to do something to stop these attacks as quickly as possible," an amateur radio operator in Sarajevo transmitted on July 14.

"Every day, it is more and more terrible," Father Jozo Zovko told me by radio phone Wednesday. "Near my monastery, many Montenegrans with heavy artillery attack unarmed civilians. Today, they threaten the destruction of a whole town of 35,000 helpless people. Can you help us?"

"Why in this situation does the West opt not to destroy Serbian military forces that are blatantly destroying defenseless civilian populations * * * when they could accomplish this solely with air and sea interdiction and without committing ground forces?" he asked.

It is a good question.

Making war is not Father Jozo's business. Serving as an abbot at one of the world's eldest monasteries is. But Father Jozo has a plan for using NATO naval and air power already in the Adriatic Sea to target Serbian bases, aircraft and artillery that pound Bosnian civilians.

Insisting that "we plead for international military intervention," Father Jozo sees Bosnia's situation as an almost exact parallel to that of Kuwait. Except that Bosnia has no oil.

He has a point. The West's overlapping organizations for conflict resolution and keeping peace have proved impotent in the face of this conflict. Neither in the European Community (EC) nor the United Nations or the Conference on Security and Cooperation in Europe (CSCE) have governments roused themselves to oppose the Serbian violence that has reduced cities and towns of Bosnia to rubble, forced 2.2 million to flee their homes, and reintroduced into Europe barbarous concepts of "ethnic purification" which should have died with Adolf Hitler.

Lack of oil is not the only factor that has inhibited governments which rallied to aid Kuwait. Diverse motives contribute to the failure to act on Serbian aggression.

Historic ties to Serbia inhibit some governments. Arguments are made that the conflict is a hopelessly complicated ethnic struggle in which prudent outsiders should not become involved, or that blame is so evenly divided among the parties that there are no meaningful moral issues.

For a while, it was argued that the Serbian government was not really involved; there were no sides, only "irregulars" flying the airplanes and driving the tanks and firing the mortars of the Yugoslav armed forces.

Some European governments opposed action because they opposed NATO's involvement, desiring to avoid setting a precedent for a post-Cold War U.S. role in Europe. Everyone equivocates.

It has been several days since the CSCE summit at which President George Bush insisted the world must stop Serbian terrorism "no matter what it takes." But he has since added that the United States will not act without European engagement.

So two powerful U.S. warships waited off the Adriatic Coast to join up with a European naval force that is almost incredibly slow in arriving to begin its monitoring of the Serbian embargo. Meanwhile, at the United Nations, the same resistance to effective action has delayed consideration of Austria's resolution that would give Serbia an ultimatum on compliance with the cease-fire and would authorize "further steps net to ensure compliance."

The Europeans awaited the outcome of one more round of failed talks under the auspices of Lord Peter Carrington and the EC. The Serbs do not wait.

They have tightened their grip on Sarajevo, which has now lived under siege for more than 100 days. Under the revolting policy of "ethnic cleansing," they have pounded Gorazde to rubble. "Ethnic cleansing" has already spurred their move into Kosovo as well.

The problem of Serbian aggression is terrible, but not complex. It is not ethnic diversity, nor is it a long, complicated history of conflict.

The problem is the will to power and violence of Serbia's Communist/nationalist rulers, who have refused to cede power to those seeking self-determination and self-government. And there is the awful problem of governments that pretend that reasons of state are more compelling than reasons of life and death.

Yes, the world is apparently willing to live through another Warsaw ghetto. It is happening just now at Gorazde.

THE ONLY WAY TO STOP AGGRESSION—AUGUST 3, 1992

The Iraqis claim they won a "brilliant victory" in their negotiations with United Nations inspectors regarding access to buildings and documents. The Serbian government continues its campaign of "ethnic purification" through the siege and shelling of Bosnia-Herzegovina. In Cambodia, the Khmer Rouge refuses to turn in its weapons or permit UN access to areas under its control.

In each case, an aggressor government or would-be government has refused to carry out an agreement to which it had acquiesced earlier. In each case, a settlement in which the UN is prominently involved is on the verge of collapsing. In each case, it has become clear that the government in peace negotiations and agreements in order to achieve short-range military advantages and that they violated the agreements when greater advantage could be gained by noncompliance.

Saddam Hussein agreed to a cease-fire to save his forces from imminent destruction. He refused to comply with its provisions once he believed he had more to gain by noncompliance. Milosevic has used the negotiation of cease-fire as a tactic to delay international action in the UN Security Council and in Bosnia-Herzegovina, while his forces have continued to win control of more territory and drive out the non-Serbian population.

The Khmer Rouge has used a painstakingly negotiated international agreement for disarmament, resettlement, and elections as an opportunity for its troops to re-enter Phnom Penh and other areas of Cambodia from which they had been driven by force.

Carl von Clausewitz and Thomas Hobbes would not have been surprised to see peace negotiations and solemn covenants used as tactics to buy short-range advantages for cynical combatants. But modern peace-makers seem not to have expected that this would happen. UN spokesmen speak as if Saddam, Pol Pot, and Milosevic rather suddenly developed a will to peace and could be counted on to honor their commitments—next time. They talk as if they did not know the consequences of such delays are irreversible.

Rolf Ekeus, the UN commission's leader in Baghdad, spoke as if he did not understand that the long standoff in front of the Department of Agriculture gave Saddam's government ample time to dispose of information on its chemical and nuclear weapons programs.

"We have not given up the possibility of finding something," he said cheerily on leaving the building, as if there were still a possibility of meaningful inspection.

Nor can the thousands of people killed and homes destroyed in Bosnia-Herzegovina be restored by a belated agreement.

And all the while, UN peace-keepers in Cambodia proceed with implementation of the peace plan as if they do not understand that the Khmer Rouge is steadily improving its position under UN auspices.

Clearly, this is not working. But what can be done?

The elaborate architecture for collective security in Europe—the UN, the European Community, the Conference on Security and Cooperation in Europe, NATO, the Western European Union has proven ineffective in the face of aggression.

Is the hope of controlling aggression unrealistic? Is it just a matter of time until another Hitler or another Lenin rises in the ashes of Communism? Until Saddam renews his war against the world?

The failure is not in the goal, but in its pursuit. We have made unnecessary mistakes. The decision to leave Saddam in power was a terrible mistake—and not just George Bush's error but that of all those coalition leaders who, like Bush, worried more about creating a vacuum of power or fragmenting Iraq than about the future harm Saddam would do.

The passivity of the EC, UN, United States, and associated forces in the face of mass murder and devastation in Bosnia-Herzegovina is a terrible mistake. It, too, is not just George Bush's error. It is the mistake of all those who stand by, declining to bomb the mortars and planes of Milosevic, as their predecessors once declined to bomb the ovens of Auschwitz.

Building collective security requires abandoning preferred myths and facing the fact that it is not poverty, not ethnicity, not the breakup of empires that cause war. It is violent men and lawless government.

Fortunately, the frameworks for collective security are in place, and military and humanitarian resources are available. But it is necessary to mobilize and use them.

Doing so effectively will also require that the UN abandon some of its cherished notions about impartiality between victims and victimizers and about the minimum use of force against aggressors like Saddam Hussein. But the world has had too much experience to plead innocence about the consequences of appeasing such aggression.

FAILING TO COPE AT THE UN—OCTOBER 18, 1992

What ever happened to the "New World Order"? What accounts for the bold, principled response to Iraq's invasion of Kuwait and the barely serious efforts to contain Serbian honors in Bosnia? The differences deserve our attention.

When Iraq invaded Kuwait, the United States, its European associates, and most other member states of the United Nations Security Council demanded immediate

withdrawal of Iraq's forces and compensation for the victims of aggression. They issued an ultimatum with a deadline and a warning that all necessary force was authorized to secure compliance.

When, after the withdrawal from Kuwait, Saddam Hussein's policies caused Iraq's Kurds to flee for their lives, a mobilized Security Council proclaimed an unprecedented "right to interfere." The United States and its associates used force as necessary to deliver food and medicine to Kurdish refugees huddled on the borders of Turkey and Iran. When Saddam Hussein refused UN inspectors access to information and premises involved in the production of weapons of mass destruction, a clear ultimatum elicited Iraqi compliance. When the Security Council promulgated a no-fly zone to prevent annihilation of Iraq's Shiite population, the United States made immediate, credible preparations to ensure its enforcement.

Even though Saddam Hussein is still in power and continues his deception and violence whenever he sees the opportunity, this was the most successful case ever of a collective response mounted through the United Nations.

Governments were justifiably pleased with the success of their policies. George Bush and other leaders associated with Desert Storm encouraged the world to believe that they had dealt not only with Iraq, but had laid the foundations of a "New World Order."

Such hopes were soon disappointed. The international response to Serbia's bloody assault against Croatia and Bosnia-Herzegovina is a case study in collective inaction and ineffectiveness.

When Serbia launched a violent attack on a nearly independent Croatia, the Security Council adopted a posture of careful neutrality. Its resolution spoke not of aggression, but of "the fighting in Yugoslavia." This habit persisted even after Croatia, Slovenia, and Bosnia-Herzegovina were recognized as sovereign states and were admitted to the UN.

Although the Security Council focused again and again on the various aspects of war, violence, and "ethnic cleansing," it has never issued an ultimatum nor threatened action to enforce a resolution to stop Serbian aggression against non-Serbs.

Instead, the Security Council has taken a series of ineffective actions. It has imposed an arms embargo whose principal effect has been to deprive Bosnia's Muslims of weapons needed for self-defense. It has sent peace-makers to negotiate cease-fires which were violated as soon as they were negotiated. It has authorized humanitarian assistance for Bosnians under siege and shelling, only to have its delivery blocked. It has demanded access to prison camps, and has taken no action when that access is selectively granted and denied. It has imposed a no-fly zone without a provision for its enforcement.

It has dispatched UN officials to assist more than 2 million refugees created by this violence, but it has taken care not to offer a viable alternative to the dangerous circumstances in which Bosnians under attack find themselves.

In its defense, the United Nations has imposed trade sanctions and stiffened them. It has passed a resolution authorizing investigation of atrocities for a possible "war crimes" action.

The General Assembly declared the Yugoslav seat vacant. But no action was taken in the Security Council to expel the Serbian/Montenegrin pretenders to that seat.

Meanwhile, the murder and mayhem and "ethnic cleansing" have continued.

The failure of the United States or European countries to take effective action through the UN, the European Community, or the Conference on Security and Cooperation in Europe (CSCE) has prompted some interesting discussion in both Europe and the United States.

In France, opponents of the Maastricht treaty charged that EC membership paralyzed the French capacity for action. They may be right.

Multilateral action requires the consensus of multiple governments. Such consensus develops only when there is great clarity, determination, and leadership.

On Bosnia, the necessary consensus has been lacking within countries as well as among them.

In America, for example, Gen. Colin Powell has argued publicly that the United States has "no clear goals in Bosnia." He added, "the solution must ultimately be a political one."

He is, of course, correct. But war is politics by other means. And aggression is a military as well as a political problem—one which unfortunately requires a military solution more often than not.

Acting Secretary of State Lawrence Eagleburger has repeatedly and publicly expressed misgivings about military action in what was Yugoslavia.

The Bush administration continues a divided, uncertain course, tempted by both action and inaction. Its impulses to act have generally been met by British, French,

and Russian resistance. But the United States has so far not even matched the European contribution to peace-keeping forces (which does not matter much, since there is no peace to keep.)

There is an important moral in the whole miserable experience: Neither multilateral frameworks, not their charters, their bureaucracies, their officials, nor any "agenda for peace" can guarantee an effective response to aggression and international law-breaking. Only governments can issue meaningful warnings and enforce resolutions. And governments can do so only when their leaders are persuaded that vital interests are threatened.

Bush provided such leadership in Desert Storm, but his administration has been indecisive in the matter of Bosnia Democratic presidential candidate Bill Clinton has called for a focused use of limited force in a multilateral context regarding Bosnia. But he has not said what he would do if he found no partners for an international effort to impose peace.

Threatening the use of force, risking lives, is serious business. Multilateral organizations make it harder, not easier. This is the fact from which all serious consideration of peace and collective security must proceed.

THE END OF THE NEW WORLD ORDER—NOVEMBER 23, 1992

In Bosnia, typhoid spreads in overcrowded refugee camps while fresh assaults by Serbian forces create 100,000 new Muslim and Croatian refugees. In Croatia, Serbian irregulars terrorize unarmed civilians in a new campaign of "ethnic cleansing" in towns previously pacified under a United Nations-sponsored peace plan. In Kosovo, Serbian irregulars tighten the screws on the Albanian majority, many of whom have already abandoned homes and possessions to seek refuge in Albania, a country whose meager resources are already sorely strained.

Winter is coming to the region. Even now snow and ice block the way of families fleeing annihilation. It is a gruesome scene.

Meanwhile in New York last week, the UN Security Council passed a verbose resolution. No. 787, which reaffirms previous resolutions, repeats the finding that the situation in Bosnia-Herzegovina constitutes a threat to international peace (as if anyone doubted it), and resolves to tighten and enforce economic sanctions imposed last May against Serbia and Montenegro.

But no expects Resolution 787 to silence the guns.

"Never in history has anyone been able to stop killing by imposing economic sanctions," a Serbian diplomat noted. "The Security Council should adopt firm measures to deal with the problem," said Russian Ambassador Yuli Vorontsov. "Bosnia-Herzegovina has been devastated."

"I think we should move from surveillance to enforcement," Western European Union Secretary General Willem van Eekelen said in Helsinki. And U.S. Permanent Representative Edward Perkins affirmed again that aggression, ethnic cleansing, and the resulting death and suffering will be halted."

If they think this, why did the United States, Russia, and three EC members—Britain, France, and Belgium—cosponsor the latest resolution, which promises no relief for hundreds of thousands of victims of the barbarity?

Economic sanctions create more problems for people than for governments. Resolution 787 did not decide to establish safe areas for the burgeoning refugee population, as the UN's special rapporteur, Tadeusz Mazowiecki, recommended in his report to the secretary general. Instead, it merely "invites" the secretary general, along with the UN high commissioner on refugees and others, to "study the possibilities of, and the requirements for, the promotion of safe areas for humanitarian purposes."

It does not direct the secretary general to act. It does not specify an agency responsible for action. It calls for study.

The toothless resolutions and ineffective measures taken by the Security Council and secretary general can no longer pass for serious efforts to deal with murder and mayhem in what was Yugoslavia.

In fact, there is a good deal more that might be done—without recourse to force—through and/or by the UN to help elderly Croats and helpless Muslim families escape death from shelling, starvation, and exposure. But it would require a greater sense of urgency and of realism than has so far been demonstrated at the UN's glass tower on Turtle Bay.

Without further delay, the Security Council could:

One, decide to establish safe zones for refugees to move urgently to designate such sites and begin their provisioning;

Two, act now to send peacekeeping forces to Kosovo to protect its population (and Albania) from the ultimate ravages of "ethnic cleansing;"

Three, if the EC, the United States, Russia, and other major powers are unwilling to use force to protect unarmed civilian populations from Serbia's savage aggression, then they should at least permit the victims to defend themselves by lifting the arms embargo for Serbia's victims.

It is simply not credible to say, as UN mediator Cyrus Vance said a week ago, "It takes credibility to suggest that lifting the arms embargo for only one party is either feasible or desirable."

Has Vance forgotten that self-defense is a right granted in the UN Charter to all states? Or is it possible that, like certain other Western officials, he still sees the Serbian massacre as a civil war between two sides who should be left to fight it out?

Better still, the major powers could give Serbia an ultimatum and enforce it. The UN Charter not only grants a right of self-defense, it foresees collective self-defense for just such violations of international peace and security as exist today in Bosnia-Herzegovina, Croatia, and Kosovo.

The new world order of which George Bush spoke with great feeling after Desert Storm will be confirmed—or not—by the world's collective response to this continuing tragedy.

Senator BIDEN. Thank you very much. Mr. Director.

**STATEMENT OF WILLIAM E. COLBY, FORMER DIRECTOR,
CENTRAL INTELLIGENCE AGENCY, WASHINGTON, DC**

Mr. COLBY. Thank you, Mr. Chairman, for this opportunity to express my views on the shocking situation in Bosnia-Herzegovina, and the possible role of the United States in response to it.

With the end of the cold war some imagine that the United States can shed the burden of world leadership it carried for so many years. Nothing could be further from the truth. If the United States leads, many nations rush to participate, as we have seen in the gulf war and in Somalia. If the United States leaves the task to others, nothing happens, as we have seen in Yugoslavia, which we initially left to Europe, and in Haiti, which we initially left to the Organization of American States.

But the United States need not bear the preponderant burden because other nations now possess both the wealth, and indeed sufficient power to help resolve the kinds of problems that we face around the world. This is not a super power problem. It is a lesser sized problem. The question is how the United States can assert its political leadership and assemble the participation of the other nations in a true community effort.

And this is needed in Bosnia. The events there, as we have seen, are an affront to the conscience of mankind and need to be, simply, stopped.

The United Nations has wrestled with the problem, but the efforts of Mr. Vance and Lord Owen have to date done little to end the atrocities perpetrated by ethnic zealots. The task at hand has escalated from traditional peace keeping, which follows an agreement between the hostile parties to respect peace, to peace making, suppressing the efforts of aggressive forces to achieve their ambitions through violence. And this is not merely a local problem. Unless the ethnic violence there is stopped, it can clearly spread to the other ethnic cauldrons all too prevalent in Eastern Europe and even the former Soviet Union.

Yes, negotiations are requisite to any longer-term solution, but negotiations require some balance between the parties. If the Serbian aggressors tower over their enemies they have no incentive to reach compromise solutions to the issues between them. The balance needed can be furnished by outside forces from the inter-

national community. The United States should not and need not act alone, but it should participate in an international effort to stabilize the situation by committing forces and, most of all, by assuming the political leadership to assemble, with full consultation and participation with Russia, the needed elements under the United Nations or independently.

Mr. Chairman, the program—

Senator BIDEN. Excuse me, Mr. Director, did you say or independently?

Mr. COLBY. Or independently. Yes, Mr. Chairman.

Mr. Chairman, the 10-point program you have outlined for the defense of Bosnia is based upon these considerations and deserves the full support of the United States Government and the international community. We may not be able to stop all atrocious ethnic disputes around the globe, but to the extent that we can settle this most prominent one, we can deter the outbreak and spread of others, and we can develop the international machinery and expertise to control those that do erupt.

I would make one or two comments on your 10 points. I thoroughly approve of your first, to reject the Munich syndrome, but I think it is also important to reject the Vietnam syndrome. Serbia is not Vietnam. In the first place you are dealing with two different ethnic groups, the Bosnians and the Serbs. Second, the Serbians are not united in any way. They had a recent election, part was stolen, but the opposing candidate who ran on a much more reasonable program got a very substantial number of votes. This is not a Nazi suppression of Serbia, as we saw during World War II. It is a divided Serbia where this crazy fellow is in charge of only one portion of the total, and there are others.

Second, with respect to the commitment of troops let us talk about specifics. It is easy to talk about airpower only, and I give full deference to General Dugan's expertise in this subject, but there is a contribution that I think can be made on the ground with a modest input of force, and that is a counter battery artillery force. With modern technology you can tell where a random shot came from by electronics, and you can deposit a barrage right on it within a matter of moments.

Now, you can protect the artillery you put in by sand bagging them and covering them and all the rest, so we are not talking about substantial losses. But we are talking about ending this atrocious siege of Sarajevo with the random killing this artillery shelling of the women, children, old people, all the rest. The symbolic lifting of that siege I think could begin to balance the negotiating sides, and begin to give the basis for a true negotiation.

To the extent you want to go further than Sarajevo, to some of the other centers to provide some asylums, fine, but I think that is a second question. First is to stop the siege at Sarajevo.

Second, I think it is important to begin to communicate to those Serbs who really have qualms about the direction that Mr. Milosevic is taking Serbia. I think it is important to realize that he has full control over all the organs of information, TV, radio, everything else, and I think it is very important that some alternate word be gotten in to the Serbs through outside radios.

We have seen the praise which the various nations have showered upon Radio Free Europe for its service over the years in Eastern Europe. I think it is a clear indication of the importance of getting the word in to the Serbs as to what is truly going on in the world so that they are not only told by Milosevic that the atrocities are being perpetrated against them rather than by them.

With these minor points I fully concur with your 10-point approach and I do applaud your holding this hearing to begin to get some discussion not only of the Munich syndrome but also of the Vietnam syndrome, and to figure out some reasonable steps that we could take to stop this atrocity at this time.

Thank you, Mr. Chairman.

Senator BIDEN. Thank you very much.

General, welcome.

STATEMENT OF GEN. MICHAEL J. DUGAN, FORMER CHIEF OF STAFF, USAF, NEW YORK, NY

General DUGAN. Mr. Chairman, I salute you for bringing enlightened leadership to the unfolding tragedy in Bosnia and for opening these hearings. I have spent this past year worrying about the war on multiple sclerosis considerably more than the war in Bosnia, but this is a national and international crisis and it is a real issue, I think, for the United States. It is an issue not simply of humanitarian interest of human rights, it is also a strategic issue. It goes to the credibility of the United States' in world affairs. It goes to the question of sovereignty of individual nations. It questions our support of democratic values around the world and our support of systems of international norms in foreign policy around the world.

I can think of no foreign policy problem for which the military instrument is "the" answer. On the other hand I can think of few serious foreign policy problems for which the military instrument does not add leverage, add visible commitment, add reinforcement to the rest of American's considerable resources in diplomacy, politics, and economics.

This is, in Bosnia, an international war. A powerful nation, Serbia, has invaded, has created aggression against a weaker neighbor. The issues of Munich and Chamberlain have already been mentioned. We are out looking, I think, now for a Churchill.

I do believe that there are a number of things, and I believe your 10-point plan captures most of them, that we should pursue. First, we should put at the head of our list relief and humanitarian assistance. We should attempt to support lifting the siege in Sarajevo and other cities using all necessary means. U.S. airpower and sea power have certain advantages, competitive advantages, that we can bring to bear in this part of the world.

The issue of empowering the Bosnians has been raised, and I believe this needs to be made a Bosnian effort, an effort that the Bosnians carry the lead, carry the brunt of the effort, and behind them Europeans, then the United States.

The use of artillery has been mentioned as one of the key and one of the significant military advantages that the Serbs have brought against the Bosnians. These could be addressed with a range of military options, some of which have already been mentioned.

Clearly we need, as members of the United Nations, to enforce those resolutions that we have been party to, and we need to reinforce the credibility of the United States, the credibility of the European neighbors of Bosnia and Serbia. We need to see that in those areas where we have participated in laying out plans, that those plans are implemented. Otherwise we lose our credibility not only here but in other areas of the world.

I find your 10-point plan useful. There are some difficulties, there are some costs, there are always some risks in pursuing these things. On the other hand, I believe that the risks of not pursuing them are larger and of more importance.

I thank you for the invitation.

Senator BIDEN. Thank you very much. We will limit ourselves to 10 minute rounds here. There are many, many questions to ask, but I will try to be as pointed and specific as I can.

Let me say at the outset that I appreciate the comments that some of you have made relative to the proposal I have put forward. I have no particular pride of authorship and there is nothing particularly original in any of the 10 points that I have put forward. I might add that in my discussions, private discussions with the Secretary of State, I know of none with which he disagrees and I do not know of any inconsistency at this point between the process they have undertaken and what I am proposing.

But I would like to focus on a couple of weaknesses of my own proposal, if I may, and indicate further that I think one of the basic fundamental changes that has taken place in the enunciation of what has been referred to today as the Christopher plan is the starting point. We had a closed discussion yesterday, members of this committee and the full committee, with Mr. Bartholomew, who has been given the dubious distinction of having to implement this. I know Ambassador Kirkpatrick knows him well. He has been a trouble shooter and I think one of our first rate diplomats, and has worked with the last three administrations.

But as I understand this administration's starting point, it is that we will not participate in the forceful dismemberment of a nation, that we are starting off with the proposition, this administration, upon which we will hopefully build, in my view, but that remains to be seen, that the independent nation of Bosnia must remain as an entity, no forced dismemberment and pressure put upon it with any of our support. And I would, I know the Vance-Owen, Secretary Vance and Mr. Owen, former Minister Owen, would disagree with my characterization, but I believe they start with exactly the opposite premise.

And so I am encouraged that we will see, Ambassador Kirkpatrick, President Clinton plan a merge into candidate Clinton's proposals, although I cannot say that with any certainty. I think they are literally finding out for themselves at this moment how to proceed. But I am personally gratified that they have changed the point from which they start their participation, which is that Bosnia remain Bosnia and it be a unified government with possibly internal changes in terms of sharing of power and how that takes place, but not the dismemberment of a nation state recognized by the United Nations.

Now, having said that, one of the things that all of us have mentioned at some point along the line here, including the panel, is Russia. I, quite frankly, in my meetings with a number of Russian officials, as well as those who do not hold official positions but who are rewriting the Russian constitution, for example, their new young James Madisons who are over there trying to figure out how to rewrite a constitution.

I was truly surprised of late at the intensity of the feeling among what I would view to be relatively enlightened and democratic Russian leaders at second and third levels who had a visceral reaction to the proposals I had made relative to Serbia, much more supportive of Serbia than I had quite frankly anticipated. And I think we are seeing that now in Yeltsin not fundamentally backing away, because as recently as 3 or 4 days ago his foreign minister went before the parliament, went before the congress and insisted that a settlement be based upon the maintenance of this nation state of Bosnia. So they have not backed away completely, but there has been some back pedaling.

I guess my first question is this. If you wish to comment, any of you, how much pressure do you believe Yeltsin is under from Russian nationalists who are making the same claims and criticisms of him relative to Russians in Latvia, Estonia, Lithuania, the millions of Russians living outside of the nation of Russia now in the former Soviet Union, and are making the nationalist cry that it is Russia's responsibility to protect Russians, how much of that is seeping into the Russian, Yeltsin's attitude and the Russian government's attitude toward Milosevic?

I am not articulating the question very well, but maybe we could start with you, Ambassador Kirkpatrick, if you would be willing to comment on that, because I know you know a good deal about that.

AMBASSADOR KIRKPATRICK. I think it is a good question and I think it is very relevant. I would like to say that I think that the pressure on President Yeltsin we all know is very significant. It is large and it is important, and I feel personally, as I am sure you do, that the United States has a very large interest at stake in the success of President Yeltsin and of democratic institutions in Russia, and their protection against backlashes of all nondemocratic and antidemocratic kinds. So we do not want to increase that pressure. Neither do we, however, want to sacrifice the people of Bosnia and Kosovo to it.

I have been undecided about what I think about the steps that Secretary Christopher has just taken to bring Russia into the negotiations. On the one hand it seems to me that habits of consultation with the Russian Government are important to develop—important for us and important for them, important for everybody. But I have wondered also whether the very presence and participation of Russian delegates in hammering out such a project enhances the pressure on the Yeltsin government at home and with critics of the government, because it gives them a rather larger responsibility and a rather larger role. I am not certain whether I think that will enhance the pressure or diminish the pressure. Perhaps Secretary Christopher has investigated and considered it.

I believe that we should take all appropriate steps to demonstrate our concern for Russian views, short of permitting them to dictate our response.

Senator BIDEN. Well, that gets me to my self criticism. Let me make this statement, Mr. Director, and then I will ask you to comment on both if you would.

When I drafted this proposal I believed there was going to be more stability with regard to Russia at least being agnostic on the question, if not willing to participate with us. I was just handed, literally just handed a wire story. It is dated today, 9:17 eastern standard.

It says Russia votes to seek U.N. shift on Yugoslavia policy. Moscow, February 18, Reuters. Russia's parliament voted on Thursday that Moscow should ask the United Nations to reverse its policy on the former Yugoslavia—imposing sanctions against Croatia, or lifting the sanctions already imposed on Serbia by 162 to 4 vote in the conservative dominated legislature, currently locked in a battle over control of Russia with Boris Yeltsin. It is sure to embarrass Yeltsin's liberal government which has firmly backed U.N. policy until now. The decision is not binding on the government under the Russian system, and I know you all know that. Under the Russian system ministers are responsible to the president rather than the parliament. The foreign minister is due to give parliament a policy statement Friday.

Now, the foreign minister did give a policy statement the day before, as I understand it, in which he recommended Moscow should, quote, avoid blind support of only one of the Slavic peoples in the former Yugoslavia, or that it base its policy solidly on a common tie to the Orthodox religion.

The reason I mention that again is that we all keep saying we want U.N. participation and NATO participation, and one of the things my distinguished friend from Maryland keeps pointing out, I think quite accurately, is that it is easy for us to talk about, but it may be inconsistent to suggest that we take bold action and do it only in the confines of the collective environment of the United Nations and/or NATO.

It appears as though NATO is not about to move unless a U.N. umbrella is provided, though I may be wrong about that, and it appears as though the United Nations, knowing that anyone on the Security Council, in this case Russia, were they to change their position according to anything like the vote in the parliament, could very well veto any of the initiatives that I have proposed. So that is why I pursue this, and I would ask, if you want to complete your answer, Madam Ambassador, please do. And then Director Colby, and then my time is up.

Ambassador KIRKPATRICK. I would only like to say that it was just such a possibility and contingency which I had in mind when I suggested that it would be possible to act either through a new enforcement resolution in the Security Council or on the basis of article 51 which provides for the right of self defense and collective defense. I think that is a viable legal foundation for action and would not require the Government of Russia to vote on the matter.

Senator BIDEN. That is an interesting point. I think you are technically correct.

Mr. COLBY. Mr. Yeltsin pledged to bear the interests of the Russians in the other republics as part of his responsibility. Now, this is the opposite of that situation. Here you have the Serbians extending their rule. So if the protection of Russians is relevant, you are not protecting Serbs, you are protecting Bosnians.

Senator BIDEN. Director, you may be right, but let me tell you what our Russian counterparts have told me. They look at the situation in classic European terms, mid-century European terms. Mr. Ambassador, you go straight to the heart of the matter. In my view Ambassador Nitze said the most significant thing said here today, in terms of the strategic problem. It is a man named Milosevic. That is what it is in my view, and the thugs that he has with him.

But the Russians with whom I have spoken, who up to now have appeared to be relatively enlightened, who I clearly counted as part of a liberal movement in Russia, are saying that one has to understand there are a lot of Serbians in Bosnia. There are a lot of Serbians in Croatia. You have to understand Milosevic's needs and desires to protect Serbians. Why do guys like you, Biden, always only point out the atrocities against Croats or against Muslims? Why do you not point out the atrocities by the Croats against the Serbians, et cetera?

So, that is the context which I believe, although I may be mistaken, produced a vote of 162 to 4 in the Russian congress. That is the reality that the Secretary of State is going to have to deal with while he tries to establish a cohesive policy that shows a united front in this new world order.

I am not suggesting we have to have that, but I think it is important that I acknowledge a flaw in what I have proposed thus far. First you, Director, and then you, and then I will yield.

Mr. COLBY. I do not think it is a flaw. I think the problem in the Russian Parliament is largely a power struggle there, of course. And this issue or other issues, they are all elements of that basic power struggle. In a sense if the world community and American leadership can bring about an evening of the negotiation in Bosnia and with Serbia, then you can settle this ethnic fight. If you just leave it alone and let it go, then you are encouraging exactly the spirit of the 190 votes, that we can be as extreme as the Serbs and we can get away with it.

I think that is the thing that we want to stop at this stage, before it spreads to other areas of Eastern Europe.

Senator BIDEN. Thank you, Director. Ambassador.

Ambassador NITZE. I just want to reemphasize the point I tried to make in my statement that Milosevic is as much and more of a threat to Serbia and the Serbs than he is to anybody else. I think that is the essential starting point, if one could get that across. We are not against Serbia. Milosevic does not represent Serbia. He represents a dictatorship over the Serbians, and he is a greater threat to the Serbians than he is to anybody else.

Senator BIDEN. I spent several hours with his opponent in that last election, who I think received over one-third, close to half the vote. The one thing that encouraged me to put in a tenth point here on pressuring Milosevic is that when I speak to Serbians in Serbia who have a different view than Milosevic, and it is a significant portion of the population I believe, they say the most impor-

tant thing you could do for us, we Serbians who disagree with Milosevic's policy, is break the monopoly on information that Milosevic now has in the press and on television and in all organs of communication of news and information, and give some encouragement to dissident parties, minority parties in Serbia.

I will come back to that because I am trespassing on other's time. I will come back to you, General, because I would like to ask you, to speak to the issue of our ability to surgically act, as the phrase is used. You turned out to be dead right on your predictions relative to airpower in the gulf. It would be interesting for me to see what you think about the use of airpower under any auspices in Bosnia.

But let me cease and yield to my friend from Indiana.

Senator LUGAR. Thank you very much, Mr. Chairman. All of us have considerable agreement on the problem and on the things that ought to occur in Bosnia. During the confirmation hearings for Secretary Christopher I suggested that if we were serious about Bosnia we ought to be thinking about NATO and we ought to be thinking about a force as large as 300,000, including American ground troops plus airpower, and we ought to secure the area about the same way we have secured Somalia to make certain that the humanitarian situation is taken care of and that refugees have had an opportunity to return.

There should be such an overpowering amount of force in enclaves so that even there are territory disputes in the hills we need not chase everyone down. In essence we would try to make certain that casualties are few because the overwhelming situation of military force is clear.

Now, Secretary Christopher did not say yes or no with regard to this. He took that in consideration as he was listening to the panel and answering questions. But when he called me prior to making his announcement of the six point plan for Bosnia, he indicated that what he was going to propose would be substantially less, and he rationalized this in part because, as Chairman Biden has mentioned, Russia may be reluctant to proceed through the U.N. mechanism. The five votes may not be secure in the Security Council if we were to try that.

Furthermore, Britain and France, to say the least, are dubious about how far they want to go. Germany even more so. So that you finally come down to a point, at least as Secretary Christopher said, let us send Reginald Bartholomew into these councils to see what he can do, not as a negotiator, not as a convener of meetings but to visit with people. He visited with the Russians. He will go to New York and visit with people there to see if in any way the Vance-Owen plan can be improved in the sense that the Bosnians do a little better.

But this is a very modest proposal, and it may not work because the Christopher plan also says no rearming of the Bosnians. We really forget about the air space being free because of British and French objections. So, it is not clear to most observers why Serbia would move in these negotiations since we are not even a negotiator. We are kibitzing around the situation, albeit with the authority that always comes with the United States of America entering into conversation. That should not be minimized.

The question I would have for you is this: after Mr. Bartholomew has visited with people for a while and tried to see if the Vance-Owen plan can be changed, or enhanced in ways that we would all approve today, but he finds that he is not making headway would it be your advice that the Secretary of State then, given full credit for trying to do, ought to reconsider the option of allowing arms to get to the Bosnians, as well as enforcing the airspace, or other aspects to enhance the bargaining position of the Bosnians vis-a-vis the Serbs?

It appears to me in asking the question, the answer is yes, that at some point that ought to occur. What I fear is a situation, and I raised this with Mr. Bartholomew, of almost a Cyprus negotiation that goes on for months and for years without any particular resolution.

And the problem that we have all been expressing today is that the situation there cannot be allowed to do that because we put our credibility on the line in one other way. Secretary Christopher has said if there is trouble in Kosovo that seems to be inspired by Serbia, that is it, we will do something. But the problem is our credibility at this point, and what do we do. Frankly, it is not clear because the same context of circumstances still prevail, the Russians with regard to the Security Council, NATO perhaps no more excited about Kosovo than it has been about Bosnia, and yet at this point the United States really is on the line.

President Bush sent a letter to President Milosevic, about this, and Secretary Christopher has specifically mentioned that there would be grave consequences for this administration. So, if we are not credible with regard to Bosnia and the Serbs, try us out with regard to Kosovo.

I would just ask, given this context, if you have any comments about how long should we have Mr. Bartholomew kibitzing and what would be the consequences if something happens in Kosovo even while the kibitzing continues, and what kind of response could America make in the event that Kosovo is violated setting into motion the chain of circumstances some have predicted?

Mr. Colby, do you have a thought about this?

Mr. COLBY. Well, what you are describing is almost the process that led to Somalia. We talked with the other nations about doing something about it and nobody did anything. And so finally the Americans said, well, let's go do it ourselves.

And now we're inundated with other nations participating, because they saw us go and they cannot be there if we're there. And it seems to me that the same kind of syndrome affects our erstwhile allies that they are going to wait for American leadership. And when they see it, bang, they have to join it.

The problem of the Russians is very substantial, but the raising of the sanctions, all of that requires a UN vote, which is also subject to veto. But independent American action is not subject to a UN vote. It's an American action that can be taken and then the others can join you informally.

We did not have a NATO decision to move into the gulf or Somalia. We moved. And then our NATO allies insisted on participating.

And it seems to me that whether you are talking about Bosnia or Kosovo or whatever, that is part of the problem.

Remember the fact that there are Russian troops in Yugoslavia today. They have been trying to get there for 40 years, but they are there with blue berets. So the Russians, I think, can be led to a participation in a sensible solution, a stabilization and then a negotiation based on stability, a negotiated end that they would participate in.

I think you could get across to some of them in that way. But you first have to stop the deterioration.

Senator LUGAR. Ambassador Nitze, do you have a comment?

Ambassador NITZE. The first thing is that I hate to see us get too far ahead of others in taking on obligations—there are certain things that I think we can do and I agree, for instance, that by the use of our power we can do somethings by ourselves and and more along with others.

To put ground forces in there alone seems to me to be improvident and I am sure that I would not do that in any sizable number. I would not get myself involved in that unless others are going to be with us. And I think that in spite of the fact that if we act others may well come in to support us. I would like to have a greater assurance of their participation in advance.

Mr. COLBY. I have no problem with that. I think that is what Mr. Bartholomew ought to be getting; not to say let's go together, but if we go, what will you do?

Senator LUGAR. I am advised that many governments are at the doorstep of President Clinton now asking what he wants to do. I think there probably is a desire for leadership on the part of a number of countries.

Maybe combining the two of your thoughts, the prudent thing is to get a sign up list privately before the President steps forward.

Ambassador Kirkpatrick, do you have any thoughts on this subject?

Ambassador KIRKPATRICK. Yes. Well, there are two differences with regard—three differences with regard to Somalia, which I think may be significant.

One is that, in the case of Somalia, there was a UN resolution passed afterward and there was at least acquiescence of all of the permanent members, which I think cannot be counted on in the case of Bosnia or Kosovo.

Second, the Secretary General was very positive in his support of action on Somalia and he has not been on Bosnia. Each time recommendations have been made for action, for determined action in Bosnia, beginning with the implementation of Lord Peter Carrington's plan last summer—the Secretary General has opposed any recourse to force. He did so again very recently, 3 months ago, in relationship to the use of force to deliver humanitarian assistance if necessary. The Secretary General spoke against it.

So, I do not think we can count on the Security Council. I do not think we can count on the Secretary General. But there is another difference that is relevant, too. I support the delivery of humanitarian assistance to Somalia, I may say. But I believe that it was a totally unprecedented and probably, legally, in terms of the charter, unwarranted action, because it was a purely internal affair—the starvation of Somalians.

There was not a credible effort made to link it to a threat to international peace and security. In the case of Bosnia, Croatia, and Kosovo, there is a threat to international peace and security, so the legal grounds for action in defense of Bosnia, Croatia, and Kosovo, or at least Bosnia and Croatia, is very clear.

And I think it should be borne in mind that this is the kind of action that the charter foresaw. And it would be consistent with the charter even under article 51 and without further action of the Security Council, which is why, I repeat, I mentioned that as a possibility.

Senator LUGAR. My time has expired. Thank you.

Senator BIDEN. Let me just say that I find it interesting that, without making comments about either administration, but on what policy was set last summer and agreed to by this administration, we draw the line in Kosovo. Well, Kosovo is part of Serbia.

The irony is that an independent country's sovereignty is being violated. We do not draw the line, but we say publicly we are going to draw the line in a matter that involves the internal territory—it may be morally justified, but internal territory of another country.

And I would also add, that when I read the Reuter's report several days ago, the new prime minister of Russia was quoted as saying that Russia could envision "limited intervention in Bosnia. But attacks on Serbia itself are not possible."

So, it seems to me that Yeltsin is continuing to try to carve out a rationale for support for policy as it relates to bringing peace to Bosnia, but I am not sure how much running room he has.

With that, let me yield—but let me point out when I first got here, Senator Feingold, I will point out, I was number 100 in seniority. And I never liked what I am about to do. But I am going to recognize members based on seniority. And I like it much better now. [Laughter.]

Senator Sarbanes.

Senator SARBANES. Thank you very much, Mr. Chairman. Sometimes in trying to clarify our thinking, it is helpful to probe the outer parameters of where people are prepared to go and the advice they are willing to give.

And the conversation that you just had, the most recent questioning and your responses actually were beginning to touch on a subject I want to explore with the panelists.

I want to get a sense of to what extent each of you think that U.S. policy here is limited or constrained by what other countries are prepared to do. Or to put the question more bluntly, I guess, are you prepared for the United States if necessary, if it cannot be achieved otherwise, to intervene on its own?

Director Colby, I take it from you were saying that you probably are. But I am not certain about that and as I understood the Somalia example. My understanding of what happened in Somalia is that when the U.S. indicated it was prepared to go in, others indicated that they would come in, too. And that we knew that ahead of time and not after the fact and that we went in under a UN resolution and on the understanding that others would join us.

The way you put it implied that we went in and then they came aboard. I do not think that is the way it happened, although I am prepared to be corrected if I am mistaken.

So now what I want to explore with you, with each of you, is it your position that the United States alone should intervene if other countries are not prepared to do so with us? And that can be either under a UN resolution, a NATO action. I mean, you can define that as you want. But I want to go behind the easy assumption that others will be there as well, to find out your position is.

Mr. COLBY. My position, Senator, is that if the United States indicates that it is prepared to go, that it will probably be joined by others. Now you ask the tough one. Suppose we get 174 votes against us in the United Nations that we should do nothing. Would we do it anyway?

And I think the answer is probably no, we would not do it all alone. But I think we have to show the positive leadership of beginning to set up to go and a very vigorous campaign to get some allies.

In all of our different interventions over the last years, we have worked very hard to get participating allies; in Korea and Vietnam and various other situations. In the gulf we did. But in each of those cases it was the Americans that initially moved and did get the allies.

Senator SARBANES. I understand all of that. I just want to find out what is the bottomline position. Suppose—you would try to do it under a UN resolution, is that correct?

Mr. COLBY. Certainly.

Senator SARBANES. Suppose your explorations at the UN indicate that that is not forthcoming. What is your position?

Mr. COLBY. We would do it, just as would have done in Korea, yes. We lucked out in Korea, because the veto did not work there. But we were going to do Korea anyway.

Senator SARBANES. So you would do this alone?

Mr. COLBY. If in extremes, and I am confident that we would have allies with us after the fact.

Senator SARBANES. I am trying to shear that away. I mean, I am trying to get to the parameters so I can think back about the steps. So I am trying to shear that away and I do not want you to keep sliding off on that.

Mr. COLBY. OK. All right. My point is that we should take the lead and begin to do it. I am confident that we would be supported by some allies at that stage, but we should take the lead.

Now, that also refers to how a big a force we are talking about. I am not talking about sending 500,000 there. I am also not even talking of General Colin Powell's 100,000. I am talking about a considerably smaller ground force, although you can use Air and Navy fairly easily.

Senator SARBANES. Well, Senator Lugar used, I think, 300,000, I think, as a NATO force. But you are thinking, even with an American alone intervention, you are talking about—

Mr. COLBY. 30,000 or 50,000 of that size. The purpose is not to pacify the country. The purpose is to lift the siege as a symbolic act, to change the balance of the negotiation which does not exist today.

And I think that kind of a rather minimal intervention, preferably multilateral—

Senator SARBANES. Well, I am trying to strip that dimension.

Mr. COLBY. [continuing.] But if essential, American.

Senator SARBANES. All right. Then what would you do after that, assuming the siege was lifted?

Mr. COLBY. You would try to get the parties to negotiate. And I think they would be more inclined to. There is no incentive for the Serbs to negotiate at this stage, none.

Senator SARBANES. Ambassador Nitze?

Ambassador NITZE. My view is that in the long run, as I said, Milosevic has very low survival prospects. I think he is going to fall on his face, if we can mobilize the rest of the world to continue to isolate him psychologically.

If we do sensible things in using airpower, if we use blockade, if we use measures that are within the reasonable power of the United States to do and with very little assistance from others, I think we can make life most unpleasant for him. And I think we ought to do that.

I do not think we ought to take this thing so tragically and move so rapidly as some suggest. I would not move into a military situation which we cannot be sure of coming out of successfully. Yugoslavia does not seem to me to be the place where we want to be bogged down with major forces. And certainly, we do not want to be there alone.

With respect to the question of the UN, I think that is a secondary problem. The UN resolutions are already such that we could act within the current UN resolutions. But I further believe that we should never get ourselves into a position where we could not act if necessary without a UN resolution. I would not consider UN approval as necessarily a must.

We have got to be able to act without and contrary to the UN if necessary. But then we have to look very carefully at whether the thing we are going into is worth it, whether this is a thing we really want to do strategically, is it a sensible operation? The commitment of large scale ground forces into Yugoslavia today does not look sensible to me.

Senator SARBANES. Ambassador Kirkpatrick?

Ambassador KIRKPATRICK. I would be ready to see UN action on the basis of existing UN resolutions or unilateral U.S. action on the basis of article 51 to accomplish the following purposes; or the delivery of humanitarian assistance, which I think should be done now even as we speak; the enforcement of the no-fly zone, which I think should be done now. And I would add to that the liberation of prisoners in concentration camps.

I regard this as worthy task—insofar as we can identify the location of those concentration camps and my understanding is that we know where they are and that the French know they are. But I would have the United States do it alone if necessary.

I would like simultaneously to enforce humanitarian assistance and the no-fly zone and also, to give an ultimatum on the heavy weapons, a demand they delivered to UN forces in the region or else have them simply taken out.

And I think it would be appropriate for us to do it with no further Security Council action—if necessary. I think it is virtually certain that the French would be ready, willing and able to participate in the liberation of concentration camps. French foreign minister Dumas announced on national television 6 weeks ago that he would, if necessary, personally and unilaterally dispatch for the liberation of prisoners in concentration camps.

His statement which was strong and serious was met with an outcry from the British and various others asserting—including the U.S. Government, asserting that such unilateral action would not be appropriate.

I understand that French and American military personnel have consulted about this particular act of liberating prisoners of concentration camps. I think that would not be necessary to do alone. But yes, alone is necessary.

Candidate Clinton said about foreign policy—generally, I read his speeches very carefully—he said, “with others when we can, alone if we must,” when he was speaking about or rejecting isolationism for the United States and the world.

Finally I do not—I should like to be clear—I do not advocate the commitment of significant numbers of American ground troops to Bosnia. In fact I do not advocate the commitment of any U.S. ground troops at all except perhaps to go in and liberate prisoners in concentration camps.

Senator SARBANES. Well, I do not quite follow that, since one of your objectives was the delivery of humanitarian aid, which would take ground troops, would it not?

Ambassador KIRKPATRICK. The United Nations has been trying to deliver humanitarian assistance. And there are many trucks, as we know, we have been watching on our television. The tons of food which is there for delivery and is being blocked. And I think this could be done quit simply by force.

Senator SARBANES. By whose force?

Ambassador KIRKPATRICK. By our force if necessary.

Senator SARBANES. So you would then put in ground troops for that purpose?

Ambassador KIRKPATRICK. No, I would not put in ground troops. I would put in airpower. I believe that the proper use of airpower could influence the decision of the Serbians who are blocking the trucks and delivery of humanitarian assistance. We do this in Iraq.

In Iraq we deliver humanitarian assistance to Kurds and to Shiites by all necessary means.

Senator SARBANES. Well, that is an interesting dimension, because as I understand it, one of the impediments to the use of airpower has been the concern of the French and the British with their forces who are in there now trying to deliver help to provide for the delivery of humanitarian supplies.

Now it is your view you would not put our people in to do that, but you think the use of airpower could accomplish it. So I take it, precedent to that British and French would come out.

Ambassador KIRKPATRICK. Well, I would not want to bomb the humanitarian assistance we were trying to deliver. I would propose to bomb something else on the basis of an appropriate ultimatum.

Senator SARBANES. But do you think the British and French should take their forces out ahead of that?

Ambassador KIRKPATRICK. Not necessarily.

Senator SARBANES. Well, but they are raising, as I understand it, they are raising the presence of their forces and the subsequent risks to them from the use of airpower as an argument against the use of airpower and therefore a deterrence to the use of airpower.

Senator BIDEN. If the Senator would yield on that point, I think the distinction made is that they do not want the use of airpower to impose the no-fly zone, because they are not in any jeopardy with the no-fly zone being violated.

I do not know what the answer would be, but it is a very different story in terms of the use of airpower to protect those forces by going after the batteries that are being used to put in jeopardy now the civilian population.

Senator SARBANES. Yes, but I understood the Ambassador earlier to say that she is in favor of enforcing the no-fly zone.

Ambassador KIRKPATRICK. I am in favor.

Senator SARBANES. I am now trying to probe with you the British and French presence there now on the ground with their forces and the fact that they have, in effect, used that presence as an argument against enforcement of the no-fly zone, which you wish to do and feel that, as I take it, that you would not need forces on the ground to deliver the supplies. And it would seem to me—it would seem to flow from that that the British and French would come out.

Ambassador KIRKPATRICK. Well, I do not think that necessarily follows, as I conceive it. I have believed, Senator Sarbanes, from the beginning that Milosevic, like Saddam Hussein, is the kind of man who responds to force and only to force; who acts with force as the preferred method of operation and who is very responsive to force.

I do not think he is the kind of legally insane person who does not know what he is doing and will go crazy if confronted with an ultimatum. I believe that confronted with a determined statement of a major power like the United States concerning the delivery of humanitarian assistance and the enforcement of the no-fly zone—that he would in fact comply.

And what would the nature of our ultimatum be? I think the nature of our ultimatum would not be to bomb the British and the French, you know, or the Serbs in the area of the British and the French. But it would be to attack—

Senator SARBANES. I was not entertaining a notion—

Ambassador KIRKPATRICK. His military strength, including, as Mrs. Thatcher suggested many months ago, the targeting of command and control centers in Serbia for example, the targeting of naval bases which Serbian airpower operates and assists in the enforcement of siege.

I am not a military expert, you know. And I am certainly not an expert on airpower. But that is my understanding of a way that we could use airpower and accomplish these two goals.

We do this in Iraq with Saddam Hussein in relationship to the delivery of humanitarian assistance to Kurds and Shiites. We do not have ground troops in the area. And we are using military—

we are using airpower to reenforce our determination to deliver that assistance.

Senator SARBANES. Let me just say I was not entertaining the notion that we were going to bomb the British and French. I want that very clearly understood.

General Dugan?

Ambassador KIRKPATRICK. May I just say that I say that only because I have heard some people suggest that you could not use airpower because the British and French are so near by that if we used airpower, the almost inevitable consequences, unintended consequences would be to—

Senator SARBANES. Well, my understanding of their concern is that the use of airpower might bring retaliation against them by elements within the country. And they therefore place their people at further risk, not that they fear that we would be bombing them.

General Dugan?

General DUGAN. Senator, I think that without U.S. leadership and without some visible form of U.S. commitment, no progress will be made and no efforts will be brought together by European neighbors or by the United Nations.

I am not enthusiastic over significant number of ground forces. And the only kind of ground activities that I would be enthusiastic about would have something to do with a logistics mission that would share the burden with the British, the French and the other UN forces that are out there to provide humanitarian assistance at the present time, and the possible use of some special operations forces.

That, in my view, would be much more effective when required than, for example, Director Colby's comment about perhaps counter battery fire with artillery. If you adopt that kind of a tactical arrangement, then you have to put counter battery artillery pieces in lots of places. And then you have to put in another one to protect the first. And then you have to patrol around where you have your artillery emplacements.

And you get to a significant number of people. You get to additional risks that I do not think America wants to or needs to undertake. And I believe that for dealing with heavy weapons in general, airpower brings some capabilities that we know how to use; we have demonstrated in recent past to use effectively.

It is not magic. Artillery pieces can move at night—we had difficulty with scuds during Desert Storm. But there are significant resources that we have that would reduce the impact of artillery and other heavy weapons and tanks. In conjunction with, perhaps, some special operations forces, airpower would be more effective. They would be able to, for example, to highlight and even do target designation—here is where the artillery pieces have moved.

Senator BIDEN. Would you explain what that means, General. Because I think that it is an important point, being able to designate those targets.

General DUGAN. Special operations forces are very highly trained ground troops that use various means for tactical mobility, typically helicopters trained to operate at night, so they would operate in the same timeframe that the offending forces would be in mo-

tion. And they could use various means, typically laser designators, to highlight where concentrations of—

Senator BIDEN. In other words, like the old forward spotter of World War II.

General DUGAN. It is a spotter routine. But we know how to do it better. We have more modern means to do it. And they interact with some of those kinds of weapons that you saw on TV 2 years ago this season that can achieve some of the same results.

One of the difficulties with that is it is very difficult to adopt a strategy that says we are going to take out each gun one at a time or each sniper one at a time.

So we need, in my view, to make a decision to make a commitment that the bulk of this effort has to be undertaken by Bosnians. And this is different than the Christopher plan, but it is not just eliminating the heavy weapons.

I think that is important, I think that is a first step, but Bosnians need to be empowered. And there is a range of activities and options. Bosnians need to be empowered to take care of their own problems to an increasing extent.

Senator SARBANES. Well, thank you. I seem my time has long ago expired. Thank you, Mr. Chairman.

Senator BIDEN. Thank you. Senator Simon.

Senator SIMON. Thank you. And I thank all of the witnesses for your testimony.

If I may comment first on Ambassador Kirkpatrick from Mount Vernon, IL, comments about the Secretary General. I may be incorrect, but my impression is the Secretary General was concerned that we were responding in Bosnia but not in Somalia when, at that point, Somalia had about 10 times the number of deaths per day. And the fact that we have now responded in Somalia, at least I have the impression that he would not be opposed at this point to our responding in the Bosnian situation. I may be incorrect in that.

The second general comment is one that we have to learn to reach out to one another across lines of religion and race and ethnicity and everything else. And what you just read, Mr. Chairman, from Russia, there is no question part of Bosnia's difficulty is religious in background.

When I say religious in background, I remember when I was stationed in the Army in Germany in Kreschburg. It is a county of Coburg. And each little area went by religion, whatever the ruler was originally. And I remember talking to this fellow who said no one in his family—he was a Lutheran because Kreschburg was Lutheran—no one in his family had married a catholic for five generations. And then I asked him where he attended church. And he said, oh, we don't go to church. You know, it is the shell of religion that is somehow passed down. And we just have to reach out to one another. That is obvious, but it, I think, needs to be said.

Well, on the 10-point program I buy 7 of your points.

Senator SIMON. And the one that I think we ought to move on as quickly as we can—and I sent a letter to Radio Free Europe about 60 days ago saying we ought to reach in the media. Panic might very well have won that election if there had been any kind of balancing media operation.

The arming Bosnian forces, I am kind of 50/50 on that. I do not know whether we should do it or we should not. In general, I think we have tended to do that sort of thing too easily. On the other hand, clearly there has to be some balance established here.

Introducing U.S. troops, I tend to be opposed to it. And Bill Colby's comment about artillery and then your comment, General, in terms of actually going after artillery or tank, whatever, can airpower be as effective as that ground artillery unit?

General DUGAN. Ground artillery units in conjunction with other ground operations, and then you get into a large maneuver activity, is, you know, the traditional way of dealing with hostile ground forces. And in terms of, you know, guns taken out per day or whatever measure of merit you might want to use, perhaps opposing ground operation would be more timely.

In terms of cost in both blood and treasure, it is my view, given all the other complexities of this piece of terrain and the competing militias that are fighting, because this is not one entity that we would be confronting, that the price would be higher. It might take a little longer, but it would be considerably cheaper for the United States and more effective in the long run for both the United States and Bosnia, and indeed the rest of the world, to do it in a different fashion.

Senator SIMON. When you say in a different fashion, you mean?

General DUGAN. By air, by blockade, by sea, with special forces, very small raid operations, instead of establishing a major maneuver activity on the ground supported by artillery fire support bases.

Senator SIMON. Then let me ask all four of you a question, and this goes to your point here, point six, punish war crimes. All of us recognize they exist here, and yet at the same time point number 10 is pressure Milosevic. I always have the feeling that when we say to someone we are going to go after you, we corner that person and make resistance much stronger.

Now, I do not know how we finesse this, because—you see the dilemma that I face and if I may start off with Mr. Colby, how do we handle this without backing him into a corner so he just resists no matter what happens, because he thinks if he works out some accommodation—and I think this is true for negotiation also, if he works out some negotiation, then he is going to be tried for war crimes and who knows what happens to him?

Mr. COLBY. Well, I think it depends on whether there is a real war crime there. And it seems to me that some people who are somewhere balanced in the leading of their group or their nation, yes you probably can negotiate with them and you should not shove them into a corner. But I think in this case it is so obvious that this fellow is a war criminal and we have denounced him officially, our Government, the previous administration. So he is already in that corner and once he is that kind of a guy, that is the only way you can deal with him.

Senator SIMON. Ambassador Nitze.

Ambassador NITZE. I agree entirely with that. I do not think he would believe you if you said you were making a deal with him. He knows that he has done things that are war crimes and he will not feel safe with any assurance from us to the contrary.

Senator SIMON. Ambassador Kirkpatrick.

Ambassador KIRKPATRICK. I think that there are some priorities which are really dictated by the urgency—

Senator SIMON. Can you get a little closer to the microphone, please?

Ambassador KIRKPATRICK. Yes. I think that there are some priorities that are dictated by the urgency, not the importance, of the problem. I think the most urgent problem is feeding people, which is the reason I put delivering humanitarian assistance first.

Senator SIMON. Right.

Ambassador KIRKPATRICK. And the next most urgent problem, I think, is to stop the shelling civilians, because that is killing people every day. And we cannot deter it. Now, we are not in a position to conduct war crimes trials now anyway. And I think that it is therefore not a policy on which we could take action this month or next month.

I would support, personally a war crimes tribunal and a practice of holding heads of state and other high-level government officials responsible for terrible, heinous crimes against humanity, responsible before those courts. I would like to see that institutionalized and taken for granted.

But I agree with you that it does not expedite negotiations toward the end of a conflict to be emphasizing them during the conflict. And moreover, moreover, it just does not help the victims of the violence. So let us plan it for the future. Let us even plan to bring the war criminals that are responsible for the incredible crimes in Bosnia and against Croatia to trial there. But let us not imagine that it is a response to the problems which anyone confronts just now.

Senator SIMON. And it does not serve any immediate effective purpose, you would stress that.

Ambassador KIRKPATRICK. It serves no immediate effective purpose.

Senator SIMON. I have reluctantly come to that conclusion, even though my heart is on the other side on that.

Ambassador KIRKPATRICK. Well, I too. I have reluctantly come to that conclusion. And I do not oppose—I support the institutionalization of tribunals for war crimes trials. But it is not a response to an immediate problem.

Senator SIMON. Right. General.

General DUGAN. It seems to me that if it was long-term U.S. policy, that in circumstances like these that the United States pursued war crimes tribunals, that would be a useful. Tactically, it is very difficult—unless you envisioned unconditional surrender as one of our objectives, where we, in fact, had control of and could seize individuals responsible. The circumstances surrounding this make that highly unlikely and very difficult to enforce in the near term.

Senator SIMON. Let me just add in terms of Ambassador Kirkpatrick's stress on the number one priority, I was pleased to read in the Washington Post this morning that we are going to be dropping food. I think that is a step that has been needed for a long time. In general, I think our response has been too slow, too anemic, and I hope we shift.

Thank you, Mr. Chairman. My time is up and I did not use but 30 seconds more than my 10 minutes here, Senator Feingold.

Senator BIDEN. I had announced we were going to have a closed briefing with the intelligence community. But because I felt this is so important and the witnesses contributions are so important, I have canceled that, after consulting with Senator Lugar. So we will come back at 2 p.m., as announced, with a public meeting, but we are going to continue with the first panel now. I just wanted my colleagues to know that the closed session has been canceled for today.

Senator Feingold.

Senator FEINGOLD. Mr. Chairman, let me first of all praise you on your ruling on seniority. It reminds me of 1982 when I first ran for the State Senate. In my hometown they would not let me participate in the parade; it was incumbents only that were allowed to be in the parade. And it took me 4 years until I ran for reelection to understand the wisdom of that rule, and I respect the ruling. [Laughter.]

My question, first question if I may take the time to get through it, has to do with a subject I raised in my opening statement, the issue of lifting the arms embargo. Now, there is a little disharmony between what I am hearing back home in Wisconsin from people of Bosnian background, Croatian background, Albanian background—they all came to my office last week. They all said to me, based on their contacts with people in their homelands, that they did not want a single American ground troop deployed all of them said this, but they did want the arms embargo lifted.

Now, there has been very little discussion of that subject here today, and I understand that the new administration is trying to formulate a policy, that they have taken the first steps. I also understand that the issue was raised to some extent and that the French and the British are concerned, for some of the same reasons that they are with regard to the no-fly zone, about harm to their folks that are there.

But if the issue is, as the General suggested, the empowering of the Bosnians, this strikes me as something that makes a lot of sense. I want to be careful here, and to say I am not suggesting a unilateral American lifting of the arms embargo. I understand we are talking here—at least I am—about changing the U.N. Security Council position on this.

So, I would be interested, beginning with Ambassador Kirkpatrick because of your—you did, in fact, refer to the issue briefly, just to get a sense from each of you about your feeling on lifting the arms embargo and what problems would be connected with it, because I see that as a very important aspect of the self defense issue.

Ambassador KIRKPATRICK. Senator Feingold, thank you. I believe in the right of self-defense, even when people are outnumbered and overwhelmed, I believe they have a right to defend themselves. I formed that view in reading about the Warsaw ghetto, of course, as I think a good many other people did, and I have never changed my mind about it.

I think that it is a terrible and I presume unintended consequence of a very good motive, to impose an arms embargo in a

situation where one side has almost all the weapons and the other side is virtually without means to defend themselves. So I have—I have believed that we should lift the arms embargo for Bosnians.

As I understand the situation, the arms embargo has been massively violated in that a great many arms continually reach Serbia, and Croatia moreover, and that the biggest reason that Croatia was able to end the war rather expeditiously, their own war with Serbia, was because they were receiving an adequate supply of arms. Bosnia, because of its geography, is not able to do this. So I think it makes sense for us to help Bosnians defend themselves, yes.

Senator FEINGOLD. General.

General DUGAN. I share those same views with Ambassador Kirkpatrick. It seems to me that by empowering the Bosnians, what I had in mind was to level the playing field.

There are several ways one may do that. One has to do with, perhaps, impounding the heavy weapons. That is, in large measure, the difference at the present time. You might destroy the heavy weapons if you cannot do that, if you cannot get cooperation from all the players. Another has to do with lifting the arms embargo and then perhaps supplying weapons to the Bosnians to increase their ability to defend themselves.

For the long haul, we want Bosnia to solve Bosnian problems. I think there is an opportunity, indeed perhaps a requirement for the United States to provide, as the President said last night, vision, will, and heart to get this process started. We want to be able to get it started and then to leave the area so that we do not get bogged down into difficulties that we have experienced in the past couple of decades.

Senator FEINGOLD. Ambassador.

Ambassador NITZE. I think we should lift the embargo. I should think that would be a helpful thing to do.

Mr. COLBY. I think the argument is that if you lift the embargo you merely create more bloodshed. I do not accept that argument, but I do think that there is a question as to how effective it would be just providing weapons. You then have to train, you have to get people organized into a force. It takes a long time to get any kind of a force that is effective.

So it does not answer the real problem, which is the continuing oppression by the Serbian heavy weapons and so forth. Are you going to give heavy weapons to the Bosnians or have you some other way of approaching it? So, yes, symbolically, lift the embargo, but do not count on its doing very much. The solution has to be found in another action.

Senator FEINGOLD. Thank you.

The other experience I had as a new member of the committee in listening to all this information from people and here is the sense of the potential broadening of the conflict.

And when I listened to Mr. Christopher's comments, the reference was the willingness to respond against the Serbians in the event of a conflict in Kosovo caused by Serbian action. Obviously, it is intended to send a signal, they were willing to draw a line. I guess he—according to my notes—he also said that the United

States would work to strengthen the international presence in Macedonia.

How do you interpret these statements and how do you recommend the U.S. respond and strengthen the international presence in Kosovo and Macedonia respectively? Start with the Director.

Mr. COLBY. I would say the solution in Bosnia is going to have a lot of impact on it. That if the Bosnian thing ends up in a Serbian victory, that they will look around for the next morsel to bite. And that you then will have a problem. At least President Bush's letter apparently did stop anything in Kosovo, but that is because they are preoccupied with the problems in Bosnia.

Once you solve that negatively, against the Bosnians, why then there is an encouragement to go ahead. On the other hand, if you freeze the situation in Bosnia and there is not a Serbian success, then I think the lesson becomes clear that they do not have an open road to Kosovo.

Senator FEINGOLD. Thank you. Do you have a comment on that? Ambassador NITZE. No. I agree with Director Colby.

Ambassador KIRKPATRICK. I have a comment, yes. I think that the reason that the threat to Kosovo has been taken so seriously is because of the temperament of the man, the fact that he is operating off of a vision of a boundless greater Serbia which resembles Moamar Gadhafi's greater Libya and Saddam Hussein's greater Iraq. In his mind Serbia has no boundaries except the boundaries of imagination and appetite.

But I believe that it is very easy to overestimate the extent of our success in Kosovo. If you listen, as I did only yesterday, the day before yesterday, to the President of Kosovo who has been here, Mr. Rogovo, it makes clear that is the extent to which the repression in Kosovo is already—Serbian repression in Kosovo is very entrenched and sweeping. There have already been some 200,000 citizens in Kosovo who have fled to Albania from fear of—or from the effects of the repression.

And, of course, one of the things that has most horrified me is the resemblance of the regime that Serbia imposes on areas like Kosovo, or earlier Bosnia—its resemblance to the Nuremberg laws that Hitler used, in fact, in depriving professionals of the right to employment, for example. And systematically depriving citizens of civil and political rights, and that is already very far advanced in Kosovo. So I think that we should be acting with more dispatch than we have, to reinforce our seriousness.

I believe that Kosovo and Macedonia are very appropriate areas for successful UN peacekeeping operations because there is not yet military violence there. Really, there is not much peacekeepers can do in an area like Bosnia where there is no peace, but they could be, I think, quite effectively deployed in Macedonia and Kosovo.

Senator FEINGOLD. Thank you. General.

General DUGAN. Senator, I do not think I can add anything useful on Kosovo and Macedonia, but I would like to comment on the issue of providing weapons to Bosnians and the status of organization and training and what difference it would make. And, by the way, the CIA briefer will have much more current information this afternoon.

It is my understanding and my belief that given the disparity in weapons available now, the Bosnians are handling themselves very nicely, that Bosnian militias and territorial defense forces have similar—I mean they inherited this organizational system from Yugoslavia—have similar status of organization and training. With a little additional technical support, they could—given the morale, given the determination of the people—could handle themselves very well.

Senator FEINGOLD. That has been helpful. Thank you. Thank you, Mr. Chairman.

Senator BIDEN. If I could just trespass on your time for about 5 more minutes, and then I promise I will let you go again. And, again, thank you all for so much time you have given us.

Let me point out what General Dugan inferred. The interesting thing is that the Bosnians are prepared to fight. When I first raised this issue with Senator Lugar last spring, the first specter that was raised was World War II. You understand that we cannot be involved in Yugoslavia with any kind of force because you know what happened in World War II, all the might of the Germans and then the Russians was unable to—and so on.

And I had to keep reminding people that some of these partisans were the people who live in Bosnia now. And the thing that struck me is their willingness, desire, and capability, to underscore your point, General, to do what they have done so far with literally nothing. We can count on two hands—at least, I am not revealing classified information, this was from several months ago—we can count on two hands, if I am not mistaken, the number of heavy weapons that the Bosnians have, and they have done pretty damn well.

The second thing I keep hearing is that there is a thug—not only in Serbia but in Croatia. Well, there is some argument to be made on that score, but, again, this is not Croatia, this is Bosnia. There are Croatians in Bosnia, but it is not Croatia.

And I want to remind everybody that the Congress passed and the President signed a piece of legislation I introduced last year, which was imploring the President of the United States of America to go to the United Nations and ask for a lifting of the embargo.

And if accomplished, immediately transferring, as we say, off the shelf, without further Congressional authority, up to \$50 million worth of weapons to the Bosnians. He was not required to do that, but he has the authority. And that is the law right now, which leads me to this question, and I am going to try to have some rifle shots here so I do not take too much more of your time.

Ambassador Kirkpatrick, you may not know the answer to this, because I am not sure there is a clear answer. You and I had dinner one night at a reception and I told you I was engaging in what you and Ambassador Nitze have done so well for so long, I was actually teaching a course in constitutional law. So, I should know the answer to this question but I do not.

And that is when the embargo was imposed in September of 1991 it was not imposed on Bosnia nor Croatia nor Serbia. They did not exist. It was imposed on Yugoslavia.

Now, there may not be a clear answer to this, and I do not want to be reminded that maybe I am engaging in what Abe Sofaer did

when it came to reinterpretation of the ABM Treaty, but I raise the serious question of whether or not there is a legal argument that the embargo is a moot point in terms of the law under the United Nations Treaty, since it applied to a country that does not exist? That is my question to you.

Ambassador KIRKPATRICK. Senator, I think you and Abe Sofaer were both right.

Senator BIDEN. I was afraid I might get that answer. Well, let me move on to the next point, if I may.

Mr. COLBY. Well, Yugoslavia exists, but Bosnia is not part of it.

Senator BIDEN. That is a more accurate statement.

Mr. COLBY. And that is even better.

Senator BIDEN. I just raise that, and I ask the legal staff to try to determine whether there is anything other than a surface rationale for that, whether there is any, as we might say in terms of the U.S., case law to back that up. That was one question. I have two or three others, and they are short questions.

General, I must say how impressed I was with your clairvoyance concerning airpower in the gulf, and your explaining for lay persons like me the use of airpower combined with not only the technology we saw on television, for example, dropping a missile down the throat of a smokestack from an aircraft, but the relationship of very limited ground forces, coupled with or linked to the airpower.

Now, when I first raised this question, I asked for a briefing on the use of military force, the efficacy of military force in Bosnia, and where the balance was.

The first thing I was told by the Joint Chiefs—it seems obvious. I should have raised it myself, or asked it this way which was, it depends on the objective, Senator. The point that all of you have made is, if the objective is to lift the siege and get in additional food supplies during this horrible winter to people who are starving, that would call for one set of military requirements. If the objective is to, "secure the peace," and end all the fighting, then that is a fundamentally different objective.

My debate with my good friend from Maryland, Senator Sarbanes seems to resolve itself on the issue of my objective. My friend keeps referring to my objective as if it is to secure the peace.

I would like to do that, but when I talk about the 10 points I put forward—and I am not married to the 10 points. They can be 6, 5, 7, or somebody else's. But the proposals that I have put forward are related to empowering the Bosnians—whether they do or not is another issue—for the purpose of, at a minimum, feeding their people, women and children and noncombatants, and lifting the siege, not for the purpose, or is it my expectation, to resolve the issue entirely.

So my question to you, General, is, could you just speak for a moment about the efficacy of airpower and very limited ground forces for the objective of lifting the siege on Sarajevo and increasing if not guaranteeing the amount of food that gets in.

I might note parenthetically, Madam Ambassador, the most amazing thing to me about everything that has been said and done about Bosnia has been by the City of Sarajevo—not the leadership, but the City of Sarajevo speaking with one voice, saying to the

U.N., stop delivering food that we badly need to us unless you are willing to deliver it to our brethren who are literally starving to death.

What a powerful moral statement that is to me. Maybe I am misreading how significant and unusual that is in 20th century European history for a city under siege to say, we do not want any more help feeding our women and children and noncombatants unless you are willing to help the rest of our people.

I think that is breathtaking. It appears not to be imposed from on high, and it appears to be an incredibly, to me at least, powerful moral statement about what we are not doing.

But having said that, putting that in context, General, give me just a moment on the efficacy of the use of what most Americans would say is limited force to accomplish the objective of lifting the siege on Sarajevo in particular and enhancing the prospects of food getting to people who are starving to death.

General DUGAN. I think that U.S. military force and airpower in particular, sea-based and land-based, all aspects of airpower—it is helicopters, it is airlift, it is not just attack vehicles—have great utility to support this very courageous people, who are worthy of our support and attention.

I do not think that it is necessarily a simple problem. It is not one that is going to be accomplished in a week or two. It may take a considerable period of time.

Whether you empower the Bosnians first or whether you lift the siege and provide foodstuffs first, it seems to me that there is immediate needs for the foodstuffs, for medical supplies and assistance, for the relief. In conjunction with doing that you find those areas of resistance, those areas that are an impediment, and we could choose the military instrument that is most effective.

Sometimes it might be air, sometimes it might be a special forces operation, sometimes it is going to be diplomacy, and it is going to be all those other pieces of our national power that need to be put together. As I said in my opening remarks, military power does not answer any problems alone, but I do think that it has—we have competitive advantages to bring to bear in this circumstance.

There are relevant to air options, for which the American public has made a great investment in the past 20 or 30 years, which have great credibility throughout the world. If we brought them to bear, I think that would in itself carry great moral weight and make some movement, some positive movement in this area.

Senator BIDEN. I happen to agree with that. I do not know as much as you know about the use of airpower. I do not want to mislead anybody who may be listening to this on television. It would surely result in the loss of some human life, possibly some American life, but it seems to me it is a bit of a red herring for us. Everytime we talk about the use of military force we say well, unless we have hundreds of thousands of ground troops there is nothing we can do.

When I heard, as the rest of the world did, the ham radio, coming from a rural city in Bosnia, isolated and under siege, saying we are down to our last morsel, the children are dying, can you help us, an SOS going out to the world, and we did not, then or now, immediately respond—I mean, I do not give a damn about any-

thing else, just immediately respond with dropping food into that area, even if 85 or 90 percent of it is going to be wasted, it seems to me almost inhuman for us not to do so.

Now, I do not want to be melodramatic about it, but that is what is happening.

This leads me to the next point. We sit and say that our admonition to Milosevic relative to Kosovo has had, at least at this point, a chastening influence, notwithstanding the fact that there are serious difficulties. My ultimate objective is what Ambassador Nitze said, the answer to this question, in my view, is the removal of Milosevic.

The best way to accomplish that, if I could wave a wand, and I suspect if you could, Ambassador, would be for the Serbian people to reject Milosevic. Close to 40 percent have already said they do not want him.

It seems to me that it would strengthen the hands of those in Serbia against Milosevic if all of a sudden, streaking cross the skies, were American and/or NATO aircraft selectively going after targets.

The sentiment relayed to me by the Serbian opposition to Milosevic is—Senator, we are running up against a brick wall. We have not had to pay, as a people, the price that we think the world could impose upon us, so the answer that Milosevic has received is that things are not as bad as the opposition says they are for us here, and the risk of moving against Milosevic is greater than the risk that remains with us, carrying on as we are in the world community which says we are the pariah, but we have not been treated as such.

Therefore, Senator, can you do three things: No. 1, can you get accurate information into our country—there is a monopoly on access to information; No. 2, can you get support in here by various means for democratic opposition parties; and No. 3, you ought to show some muscle somewhere.

We do not want you to come into Serbia. We cannot be part of that. We will lose to Milosevic if you all are attacking Serbia. We have to react as Serbs—if Serbian territory is attacked, we must respond. But if the price is raised outside of our territory, things change.

Ambassador Nitze, does that compute with your experience, that that is a logical reason to increase action or is, in your experience, the likely response to be the opposite, Milosevic being able to send out a message that Serbia is now under siege, we are all Serbians come to the aid of your brethren?

How do you think it plays? Or if you do not have a view, I do not want to try to force you to have one.

Ambassador NITZE. I think one ought to do all those things that look as though they could be helpful in carrying out what is your strategic concept and with respect to the various tactical parts thereof, we should try to do all of the things that look as though they would be helpful. They probably are not in conflict one with another, and beyond that, I think the argument that this is not going to be decisive is not the point.

Senator BIDEN. I agree.

Ambassador NITZE. No one thing is going to be decisive. If it looks as though it is going to be helpful and, you know, worth the effort, you ought to do it, so that we ought to be doing all those things that we have been talking about that would be helpful and not worry about the fact that no one of them is necessarily going to be decisive in the short run.

In the long run, it certainly will be decisive.

Senator BIDEN. I understand there are a number of things possible well short of committing us to a quagmire of 500,000 American women and men risking their lives in a country that will rapidly, if that were to occur, lose any advocacy in this country. There is something well short of that, that we can try on an incremental basis, that I think can, from what you suggested Director Colby, embarrass or embolden, our European allies.

For example, you are absolutely right, Ambassador Kirkpatrick, in my view, the French Foreign Minister did say what he said he would do. The irony is, the Brits and the Americans and others were skeptical that they might move unilaterally.

I do not think that if the French wanted to move to liberate the death camps it would be against our interest or the international community's interest to let that happen.

I echo a prediction you have all made before, that we are going to see, unless there is a significant change in world public opinion and our willingness to lead, more headlines like "Bosnian Neighbors Nervously Seek Pacts," when the prime minister of Turkey is in Macedonia talking about the responsibility of Turkey to protect their Islamic brothers and sisters in the Balkans, that obviously alarms the Greeks.

We talk about drawing the line in Macedonia. The Greeks are saying, with good historical reason, as soon as you embolden Macedonia to be stronger than they are now, and you give them weapons to protect themselves, they are going to want Greek Macedonia, which is not Macedonia, it is Greece.

You and I used to disagree, Madam Ambassador, about Vietnam. I really do think we have 300 years of history to demonstrate that dominoes fall differently, but nonetheless they fall, when you start to play around the Balkans and no one takes strong steps.

So I thank you all very, very much for your willingness to be here. I warn you ahead of time this is not the last time this committee will attempt to trespass on your time and your knowledge. Hopefully by the next time this committee has a hearing and asks you to participate we will have a more fleshed out, clearly delineated policy, one where we are not in the game alone.

I want to emphasize, in conclusion, that no one on this committee is suggesting massive use of ground forces. We have only suggested ground troops in the context of NATO forces.

We are, however, suggesting that there are a number of things that can be done short of 500,000 American troops poised on Serbia's border. The question is, what are those things and in what order should we do them?

I am hopeful this administration has taken a strong step by acknowledging its commitment and I have great faith and trust in Secretary Christopher's diplomatic capabilities and resolve. I just look around at the people who are now filling the NSA, the CIA

and other agencies, and the prior statements they have made relating to Bosnia. It is only my hope that they will prevail in the formulation of an administration policy.

But I have been here long enough to never predict what any President is about to do on any policy, and so I will continue to be supportive and probative and possibly a little pushy in order to move the policy along.

Again, I thank you very, very much for coming. I know you all have other important things to do, and unless there is any statement or comment any of you would like to make, we will adjourn until 2 p.m. Thank you all very much.

[Whereupon, at 1:10 p.m., the subcommittee adjourned, to reconvene at 3:07 p.m., for a public meeting.]

PUBLIC MEETING

THURSDAY, FEBRUARY 18, 1992

U.S. SENATE,
SUBCOMMITTEE ON EUROPEAN AFFAIRS
OF THE COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

The subcommittee met, pursuant to notice, at 3:07 p.m., in room SD-562, Dirksen Senate Office Building, Hon. Joseph R. Biden. Jr. (chairman of the subcommittee) presiding.

Present: Senator Biden.

Senator BIDEN. The hearing will come to order.

I apologize to our distinguished witness, as well as to all of those of you who have been waiting.

Mr. Foreign Minister, welcome.

It is a genuine honor to have you here before this committee. As my staff has explained to you, this is a somewhat unusual procedure. We generally, as a matter of policy, have not invited foreign dignitaries to participate in the deliberations of the committee. But because I believe your story, your participation in this process, your knowledge of what is going on in your country and your ability to express it so compellingly, I, for one, believe it is important for this committee and for people who have an interest in this issue to hear you.

So what I suggest, Mr. Foreign Minister, is that I turn the floor over to you for you to make whatever statement you feel prepared to make, and then maybe you and I can have a bit of a discussion about the situation in your country.

With that, I yield the floor to you, Mr. Foreign Minister.

STATEMENT OF H.E. HARIS SILAJDZIC, FOREIGN MINISTER OF BOSNIA

Dr. SILAJDZIC. Thank you, Mr. Chairman.

I appreciate the opportunity to meet with your committee. But before I address my government's position on the negotiations process and the recently announced U.S. policy, I would like to update you on the situation in Bosnia-Herzegovina at this moment, especially the situation in eastern Bosnia where the ethnic cleansing has been resumed through military attacks and starvation of the people.

There is also fierce shelling on the frontline in northern Bosnia, in the Brcko area, as well as in eastern Herzegovina. The bottomline, Mr. Chairman, is that the current situation perfectly serves the aims of aggression and the aim is the civilian popu-

lation, to kill the population or to starve it to death. This is the aim.

The United Nations, since last April, has not used force to enforce implementation of Security Council resolutions, but to enforce the violation of our right to self-defense under Article 51 of the U.N. Charter. I repeat, the only force used in the former Yugoslavia question was used to prevent the duly elected Government of Bosnia-Herzegovina to exercise its right of self-defense.

That is why we think that this force is actually being used to violate the spirit and letter of the United Nations Charter.

The arms embargo, in conjunction with the United Nations unwillingness to use force within the mandate of resolution 770, which is to use all necessary measures to deliver the aid, actually condemns the Bosnian people to death. I repeat, the aggression, plus the arms embargo in Bosnia, plus nondelivery of aid, means death to Bosnia.

Mr. Chairman, let us review for a moment the story of these many months of negotiations. The Geneva Conference began against the backdrop of the shelling of Bosnia, and five months later the shelling continues and has continued and has in fact intensified. Tragically, negotiations in the name of peace have facilitated the intensification of war. The reason for this is very simple. Instead of responding to naked aggression, the United Nations-sponsored peace process has increasingly delivered a series of concessions and rewards to the aggressor.

The hope behind the process would seem to have been that if enough concessions were given the aggressor would be satisfied and cease his aggression. However, during months and months of ineffective negotiations, broken agreements and violated cease-fires, the aggression has consistently escalated.

I repeat, the bottomline is after a long 10 months of terror in Bosnia-Herzegovina of aggression on Bosnia-Herzegovina, the bottomline is that this continues, that the killing has intensified, that ethnic cleansing has intensified, and that the main aim of the aggression is being thus fulfilled.

Mr. Chairman, the Government of Bosnia-Herzegovina unconditionally agreed to these negotiations last summer, the end of August, in London. The Government of Bosnia-Herzegovina did so solely on the basis of firm and specific assurances from Prime Minister Major, Secretary General Boutros-Ghali, and acting Secretary Mr. Eagleburger that the provisions agreed to in London would be implemented. The London Conference, as you remember, did produce an agreement. That agreement was designed to guarantee the minimal conditions for the survival of the citizens of Bosnia-Herzegovina and for a normal ground for meaningful and productive talks.

The Geneva talks were to begin as the provisions agreed to in London were actually being implemented. Foremost among these provisions were:

Early lifting of the sieges of towns and cities; establishing an air-exclusion zone; placing heavy weapons under international control; securing convoys carrying humanitarian aid to all areas where supplies are needed; opening of Tuzla airport; progressive return of refugees to their homes; unconditional release of all civilians de-

tained and the closure of detention camps; and of course, an end to ethnic cleansing.

These provisions were formally accepted by all sides. At the conclusion of the London Conference, Acting Secretary Mr. Eagleburger explicitly stated, and I quote, that one of the points of the conference is that there are now benchmarks and we will in fact judge their performance, Serb and Bosnia Serb, Muslim and Croatian, on the basis of how fast they meet the demands of the conference.

Well, the Bosnian Government met the demands of the London Conference, but the aggressor did not. Like the U.N. Security Council resolutions adopted prior to August, the London provisions were not implemented or enforced. So, day in and day out, the Bosnian people are shelled and starved to death.

Mr. Chairman, attached to my statement is the list of further U.N. resolutions that have not been implemented.

With respect to the announcement made by Secretary of State Christopher last week on the new U.S. policy, my government welcomes the active involvement of the United States. The United States could play an indispensable part in the process by working with the international community toward a solution which promotes basic human rights and guarantees the sovereignty of Bosnia-Herzegovina, rather than rewarding aggression.

Mr. Chairman, when the democratically elected Government of Bosnia-Herzegovina calls simply for the implementation of already adopted agreements and resolutions, it is accused of obstructing the peace process. When the already hungry people of the city of Sarajevo go on a hunger strike to protest the starvation of their fellow citizens outside Sarajevo, they are denounced, blamed and punished for the United Nations' failure to deliver aid to other areas in Bosnia-Herzegovina.

In response to this painful gesture of protest, instead of stepping up efforts to bring aid to eastern Bosnia, the United Nations High Commissioner on Refugees informs us that deliveries of humanitarian assistance to Bosnia-Herzegovina will be suspended.

Now, what the Government of Bosnia-Herzegovina seeks from any peace plan is the following:

Number one, that territorial gains by force will not be recognized; that the sovereignty and territorial integrity of Bosnia-Herzegovina will be restored and guaranteed; that the continuity of the legal authorities of Bosnia-Herzegovina will be secured; and the cessation of activities by paramilitary organizations will be enforced; assistance in forming a new Bosnian constitution which will guarantee the cohesion of our country as we begin reconstruction; that territories subjected to ethnic cleansing will not be left even temporarily under the control of forces that executed, mass killings, mass expulsions, and mass rape; that the return of refugees will be guaranteed and conditions for their return secured; to establish a war crimes tribunal which will investigate and prosecute war crimes committed in Bosnia-Herzegovina, including rape.

These are all points that actually already exist in the U.N. Security Council Resolutions, already adopted U.N. Security Council Resolutions.

In the meantime, until such a peace plan is agreed upon, my government seeks the immediate lifting of the siege of Sarajevo and implementation of all relevant U.N. Security Council Resolutions, including the enforcement of the no-fly zone, delivery of humanitarian aid to all areas in need, and placement of heavy weapons under strict international control.

We do not believe, Mr. Chairman, that sieges of towns and killing of populations can be promoted to a legal factor in international relations. That has to be stopped. And we think that the siege of Sarajevo and other cities must be lifted unconditionally and immediately.

Mr. Chairman, if the international community lacks the courage and principle to even implement the measures already passed in the Security Council, then the Government of Bosnia-Herzegovina must be allowed, at the very least, to exercise its legitimate right to self-defense under Article 51 of the United Nations Charter, and obtain arms to defend its desperate citizens.

The arms embargo against Bosnia-Herzegovina is not only contrary to the U.N. Charter, but contrary to the stated aims of the international community to halt the war. By freezing the Serbian forces overwhelming military advantage, the arms embargo only facilitated the intensification and spread of ethnic cleansing with all its attendant horrors.

Mr. Chairman, if the international community, despite its many pronouncements, cannot and will not provide a measure of effective protection for our people, then minimum decency and fairness and justice demand that we not be denied the right to defend ourselves.

Mr. Chairman, you have asked that I comment on your 10-point plan. In sum, I believe that the elements of your plan incorporate many of the objectives of the Government of Bosnia-Herzegovina, specifically, points one and two would implement two critical provisions of the London Conference agreement. Impounding heavy weapons and enforcing no shelling and no-fly orders would signal a new seriousness on the part of the international community, as well as help save many lives.

As for the relocation of UNPROFOR, this would be best achieved in conjunction with a broadening of its mandate. The ineffectiveness of UNPROFOR is less a question of location than a question of the rules governing the use of force by UNPROFOR units. I do not wish to comment on the introduction of U.S. troops, because I believe that this is a decision that must be made by your Government.

I fully support point five, which calls for equipping our Bosnian forces and allowing them to lead the relief effort. We have said from the beginning that we would prefer to take full responsibility for the protection of our citizens, but under the arms embargo we have been unable to do so. Another positive byproduct of such a move is that it would stand as a symbol of international support for our government, duly democratically elected government and its legitimacy.

As for establishing a war crimes tribunal, my government has called for such action for some time now. We regret that the United Nations has moved slowly to implement those resolutions relating to the investigation and prosecution of war crimes.

The two steps recommended under point seven seek to address the very real threat of the war spreading, particularly if it is not stopped in Bosnia-Herzegovina.

With respect to point eight, our government would welcome the sending of a U.S. Ambassador to Sarajevo as an expression of support for our sovereignty as a democratic country.

With respect to points nine and 10, we would welcome any actions on the part of the United States to bring greater pressure to bear on the aggressor.

Mr. Chairman, it would be a tragedy, actually a real crime, if after all this negotiation and after the U.S. decision to engage fully in the search for peace, that the end result was simply to put a stamp of legitimacy on the rewards of aggression. By refusing to halt ethnic cleansing and starvation and refusing to allow us the means to defend our citizens, the United Nations has already placed its stamp on what has occurred until now. The question is whether or not the United States will work with the international community on a new road toward a genuinely just and democratic peace which promotes basic human rights, rather than rewarding aggression.

Thank you very much.

[The prepared statement of H.E. Haris Silajdzic follows:]

PREPARED STATEMENT OF DR. HARIS SILAJDZIC, FOREIGN MINISTER OF BOSNIA AND HERZEGOVINA

Mr. Chairman, thank you for the opportunity to meet with your subcommittee. Before I address my government's position on the negotiations process, the recently announced U.S. policy, and the Chairman's recommendations on what elements should be included in a U.S. plan, I would like to update you on the situation in Bosnia-Herzegovina at this moment after 10 long months: in eastern Bosnia, the Serbs have resumed ethnic cleansing through military attacks and starvation; there is fierce shelling at the frontline in the Brcko area, as well as in eastern Herzegovina; and Sarajevo is on a hunger strike while mortar and sniper attacks relentlessly continue.

The bottomline is that the current situation perfectly serves the aims of aggression: to kill the population or to starve it to death. The United Nations since last April has not used force to enforce implementation of U.N. Security Council resolutions, but to enforce the violation of our right to self-defense under Article 51 of the U.N. Charter. The arms embargo in conjunction with the U.N.'s unwillingness to use force within the mandate of Resolution 770, condemns the Bosnian people to death.

Let us review, for a moment, the story of these many months of negotiations. The Geneva Conference began against the backdrop of the shelling of Bosnia-Herzegovina, and 5 months later the shelling continues and has in fact intensified. Tragically, negotiations in the name of peace have facilitated the intensification of war. The reason for this is very simple. Instead of responding to naked aggression, the U.N.-sponsored peace process had increasingly delivered a series of concession and rewards to the aggressor. The hope behind the process would seem to have been that if enough concessions were given, the aggressor would be satisfied and cease his aggression. However, during months and months of ineffective negotiations, broken agreements, and violated cease-fires, the aggression has consistently escalated.

Mr. Chairman, the Government of Bosnia-Herzegovina unconditionally agreed to these negotiations last summer in London. We did so solely on the basis of firm and specific assurances from Prime Minister Major, Secretary General Boutros-Ghali, and Acting Secretary Eagleburger that the provisions agreed to in London would be implemented.

The London Conference, as you remember, did produce an agreement. That agreement was designed to guarantee the minimal conditions for the survival of the citizens of Bosnia-Herzegovina. The Geneva talks were to begin as the provisions agreed to in London were actually being implemented. Foremost among these provisions were:

—early lifting of the sieges of towns and cities;

- establishing an air-exclusion zone;
- placing heavy weapons under international control;
- securing convoys carrying humanitarian aid to all areas where supplies are needed;
- opening of Tuzla airport;
- progressive return of refugees to their homes;
- unconditional release of all civilians detained and the closure of detention camps; and
- an end to ethnic cleansing.

These provisions were formally accepted by all sides.

At the conclusion of the London Conference Acting Secretary Eagleburger explicitly stated (and I quote) that "one of the points of the conference is that there are now some benchmarks, and we will, in fact judge their performance—Serb and Bosnian Serb, Muslim and Croatian—on the basis of how fast they meet the demands of the conference."

Well, the Bosnian Government met the demands of the London Conference, but the aggressor did not. Like the U.N. Security Council Resolutions adopted prior to August, the London provisions were not implemented or enforced. So, day in and day out, the Bosnian people are shelled and starved to death.

Mr. Chairman, attached to my statement is a list of further U.N. resolutions that have not been implemented.

With respect to the announcement made by Secretary of State Christopher last week on the new U.S. policy, my government welcomes the active involvement of the United States. The United States could play an indispensable part in the process by working with the international community toward a solution which promotes basic human rights and guarantees the sovereignty of Bosnia-Herzegovina, rather than rewarding aggression.

Mr. Chairman, when the democratically-elected government of Bosnia-Herzegovina calls simply for the implementation of already adopted agreements and resolutions, it is accused of obstructing the peace process. When already hungry people of the city of Sarajevo go on a hunger strike—to protest the starvation of their fellow-citizens outside Sarajevo—they are denounced, blamed, and punished for the U.N.'s failure to deliver aid to other areas in Bosnia-Herzegovina. In response to this painful gesture of protest, instead of stepping up efforts to bring aid to eastern Bosnia, the U.N. High Commissioner on Refugees informs us that deliveries of humanitarian assistance to Bosnia-Herzegovina will be suspended.

What the Government of Bosnia-Herzegovina seeks from any peace plan is:

- (1) that territorial gains by force will not be recognized;
- (2) that the sovereignty and territorial integrity of Bosnia-Herzegovina will be restored and guaranteed;
- (3) that the continuity of the legal authorities of Bosnia-Herzegovina will be secured and the cessation of activities by para-military organizations will be enforced;
- (4) assistance in forming a new Bosnian constitution which will guarantee the cohesion of our country as we begin reconstruction;
- (5) that territories subjected to "ethnic cleansing" will not be left even temporarily under the control of forces that executed mass killings, mass expulsions, and mass rapes;
- (6) that the return of refugees will be guaranteed and conditions for their return secured; and
- (7) to establish a war crimes tribunal which will investigate and prosecute war crimes committed in Bosnia-Herzegovina, including rape.

In the meantime, until such a peace plan is agreed upon, my government seeks the immediate lifting of the siege of Sarajevo and implementation of all relevant U.N. Security Council resolutions, including: the enforcement of the no-fly zone, delivery of humanitarian aid to all areas in need, and placement of heavy weapons under international control.

Mr. Chairman, if the international community lacks the courage and principle to even implement the measures already passed in the Security Council, then the Government of Bosnia-Herzegovina must be allowed, at the very least, to exercise its legitimate right to self-defense under Article 51 of the U.N. Charter, and obtain arms to defend its desperate citizens. The arms embargo against Bosnia-Herzegovina is not only contrary to the U.N. Charter, but contrary to the stated aims of the international community to halt the war. By freezing the Serbian forces' overwhelming military advantage, the arms embargo has only facilitated the intensification and spread of ethnic cleansing, with all its attendant horrors. Mr. Chairman, if the international community, despite its many pronouncements, cannot and

will not provide a measure of effective protection for our people, then minimum decency demands that we not be denied the right to defend ourselves.

Mr. Chairman, you have asked that I comment on your 10-point plan. In sum, I believe that the elements of your plan incorporate many of the objectives of the Government of Bosnia-Herzegovina. Specifically, points 1 and 2 would implement two critical provisions of the London Conference Agreement. Impounding heavy weapons and enforcing no-shelling and no-fly orders would signal a new seriousness on the part of the international community, as well as help save many lives.

As for the relocation of UNPROFOR, this would be best achieved in conjunction with a broadening of its mandate; the ineffectiveness of UNPROFOR is less a question of location, than a question of the rules governing the use of force by UNPROFOR units. I do not wish to comment on the introduction of U.S. troops because I believe that this is a decision that must be made by your government.

I fully support Point 5 which calls for equipping our Bosnian forces and allowing them to lead the relief effort. We have said from the beginning that we would prefer to take full responsibility for the protection of our citizens, but under the arms embargo we have been unable to do so. Another positive by-product of such a move is that it would stand as a symbol of international support for our government and its legitimacy.

As for establishing a war crimes tribunal, my government has called for such action for some time now. We regret that the United Nations has moved to implement those resolutions relating to the investigation and prosecution of war crimes.

The two steps recommended under Point 7 seek to address the very real threat of the war spreading, particularly if it is not stopped in Bosnia-Herzegovina.

With respect to Point 8, our government would welcome the sending of a U.S. ambassador to Sarajevo as an expression of support for our sovereignty as a democratic country.

With respect to Points 9 and 10, we would welcome any actions on the part of the United States to bring greater pressure to bear on the aggressor.

Mr. Chairman, it would be a tragedy—a real crime—if after all this negotiation and after the U.S. decision to engage fully in the search for peace, that the end result was simply to put a stamp of legitimacy on the rewards of aggression. By refusing to halt ethnic cleansing and starvation—and refusing to allow us the means to defend our citizens—the United Nations has already placed its stamp on what has occurred until now. The question is whether or not the United States will work with the international community on a new road toward a genuinely just and democratic peace which promotes basic human rights, rather than rewarding aggression.

UNIMPLEMENTED U.N. RESOLUTIONS

- U.N. Security Council Resolution 752 (Adopted 15 May 1992): Demands an end to all interference from outside Bosnia-Herzegovina and an end to all interference from outside Bosnia-Herzegovina and respect for its territorial integrity; demands that all units not subject to the authority or the Government of Bosnia-Herzegovina be withdrawn or disbanded.
- U.N. Security Council Resolution 758 (Adopted 8 June 1992): Authorizes the Secretary General to deploy 50 military observers to supervise the withdrawal of anti-aircraft and heavy weapons and to secure an effective cease-fire.
- U.N. Security Council Resolution 770 (Adopted 13 August 1992): Calls on states to "take all measures necessary" to facilitate, in coordination with the U.N., the delivery of humanitarian aid; demands that "unimpeded and continuous access to all camps, prisons, and detention centers be granted immediately" to the ICRC and other humanitarian organizations and that all detainees receive humane treatment.
- U.N. Security Council Resolution 776 (Adopted 14 September 1992): Authorizes enlargement of UNPROFOR mandate and strength in Bosnia-Herzegovina to provide for humanitarian aid convoys and releases of camp detainees if requested by the ICRC, with normal peacekeeping rules to apply.
- U.N. Security Council Resolution 781 (Adopted 9 October 1992): Establishes a ban on military flights in the airspace of Bosnia-Herzegovina (other than UNPROFOR), to be monitored by UNPROFOR; the Secretary General is to examine all information regarding implementation and violations of the ban and to urgently consider further enforcement measures if the ban is violated.

Senator BIDEN. Thank you, Mr. Foreign Minister.

Let me begin by asking you a question that I think would be useful for the American public to hear the answer to. Where did the term ethnic cleansing originate, if you know? Was it a term that

was used by your government to describe what was happening? Was it a term used by the opposition? Where did the term come into being?

Dr. SILAJDZIC. Well, as far as I know, that is a translation of a term in the Bosnian or Serbian or Croat language, whatever you prefer. The term is "chashinya" and is referred to and mentioned and used in the scurrilous papers by the Serbian nationalists, those now in power, and the previous ones. The term, "chashinya," means cleansing. And we believe that to be a euphemism for genocide, in my opinion.

Senator BIDEN. Now, we have been having some discussions in this country on a whole range of issues affecting your country. But one of the issues raised this morning by a panel of distinguished American foreign policy specialists concerned whether or not the Serbian population in Serbia, not Bosnia-Herzegovina, was in support of Milosevic's policies?

There was some discussion that there might be a sufficient number of Serbs who, given the right environment within which to make their case, could change Serbian policy toward Bosnia-Herzegovina. Are we being incredibly naive, or is there any reason that you would know of to suspect that that is possible? Can you describe for me from your perspective, what the Serbian people in Serbia support and do not support.

I realize that is a difficult question and it is asking for conjecture, but I would appreciate it if you would try to answer.

Dr. SILAJDZIC. Yes, sir.

I think that no people can support the genocide of another people. And I believe that the Serbian people do not support Milosevic's policy. It maybe an oversimplification if I say that they just do not know. There is an information terrorism in Serbia. And the first target of the aggression on Bosnia was to destroy and knock out the radio and TV of Bosnia because we do support a free press and free information in our country.

We believe that if the Serbian people were told the truth that Milosevic's regime would have much more opposition.

Senator BIDEN. You have made what seems to me to be a very practical yet compelling point, that it is difficult for your government to negotiate when your capital and other cities in Bosnia are under siege, with the civilian populations being the target of that siege.

What would you think of the following proposition: Instead of conducting the peace negotiations in London or Geneva or any other capital in the world, that those negotiations be moved to Sarajevo, that the negotiators may sit and negotiate in the city that is being shelled? Would your government support moving the negotiations to Sarajevo?

Dr. SILAJDZIC. My government would welcome negotiations in Sarajevo, and that would actually reward the heroic resistance of the people of Sarajevo. And I think that the talks would gain a dimension of reality by moving to Sarajevo, yes.

Senator BIDEN. Well, I do not know what I can do to influence that, but it seems to me it might be a useful change in venue for the talks.

I mentioned this morning that it was my understanding that the people of Sarajevo had indicated that they would rather have humanitarian assistance end, stop in Sarajevo unless that assistance was able to reach into Eastern Bosnia-Herzegovina—into the pockets of attack and resistance that exist throughout the countryside.

I realize that your answer might be suspect, but I am going to ask it anyway. Is that the policy of your government being imposed upon the people of Sarajevo, or was that proposed by the people of Sarajevo and put forward by your government?

Dr. SILAJDZIC. It is a popular move, and the decision was made by the Council of the Citizens of Sarajevo.

Senator BIDEN. Now, who is the Council of the Citizens of Sarajevo composed of?

Dr. SILAJDZIC. That is the mayor of Sarajevo and his Executive Council. They reached a decision to protest against the starvation in Bosnia-Herzegovina because it has reached catastrophic proportions.

Senator BIDEN. Was your government informed of that decision after the decision had been made, or were you consulted by the mayor and the council prior to their making the decision?

Dr. SILAJDZIC. We were informed after the decision, not before the decision.

Senator BIDEN. It is absolutely incredible to me. I do not doubt you.

Dr. SILAJDZIC. Well, many things, Mr. Chairman, are incredible in Sarajevo. It is a surrealistic situation there. It is very difficult to understand the spirit of the people there, but the spirit is one of defiance. Their people's—the people's message to us and to me personally is, do not let anyone humiliate us.

They begged me not to beg. Though they do not want to help us, the message is just to leave us alone. This is the message, Mr. Chairman, because they do not want to be humiliated any more. They do not want their countrymen to die just because they do not have the TV cameras there. They think it is unfair for them to receive the aid, when other people die without the aid.

That is, in my opinion—if you ask my personal opinion, it is a noble protest against what is the world community doing to Bosnia and Herzegovina. We had at least 50 meetings on this subject. We warned that hunger was coming, starvation, hundreds of thousands of people will die, but there was no—there was no use, so this is the last and in my opinion a noble protest of the citizens of Sarajevo, and I also am a citizen of Sarajevo, and I do support—as a private person, I do support this move.

Senator BIDEN. You warned any number of meetings—

Dr. SILAJDZIC. Exactly.

Senator BIDEN. How difficult and how desperate things will become in Bosnia this winter. It is my understanding that in Eastern Bosnia there are roughly 200,000 Bosnian Muslims. Can you describe for me to the best of your knowledge the conditions there? Am I roughly correct, that there are roughly 200,000 Muslims in the eastern area?

Dr. SILAJDZIC. It is 200,000 to 250,000, because the situation cannot be described neither by me nor by anyone else, because in 10 months those regions have not seen anyone, neither journalists nor

government officials, anyone but them, surrounded by the enemy forces.

We only know from those that come, the witnesses who are able to break through the siege and come to Tuzla, mostly, another town in Bosnia, and tell us the old story of starvation. All we know is that they are besieged. They do not have food, they do not have medicine, and that only yesterday, if I remember correctly, about 93 people died of hunger in that area—93 people. This is the latest news I have.

Senator BIDEN. You indicated that the people of Sarajevo in particular and the people of Bosnia in general pled with you not to beg, that if the world community—if the United States was not prepared to help, and I am paraphrasing you, then at least we ought to get out of the way.

Speaking to some of your countrymen, nongovernment officials, I have been told the following. I acknowledge it is anecdotal. I just do not know whether it represents the view of anyone other than the individuals with whom I was speaking, but what I have had expressed to me on more than one occasion is the sentiment—if you do not help, at least get out of the way.

I have been told that the United Nations presence in your country has become as much an impediment as it is a help, that it's presence has had the perverse impact of being used as a rationale for the rest of the world not to take stronger measures to either silence the artillery, and insist upon, through the use of force, the movement of humanitarian supplies, or take any action to empty, as was agreed to in London, the prison camps.

What is your personal assessment, or let me back up, your government's assessment of the present efficacy of the U.N. forces that are in Bosnia-Herzegovina now? Are they helpful, or are they a hindrance?

Dr. SILAJDZIC. Let me point out a difference here now. There are many U.N., HCR and other U.N. members that risk their lives to help Bosnia, individuals, but they act under peacekeeping rules of engagement, so the United Nations is still keeping peace in Bosnia. This is a fundamental flaw of the situation.

Senator BIDEN. There is no peace to keep.

Dr. SILAJDZIC. They are still keeping peace in Bosnia, because the peacekeeping rules of engagement have not been changed. This is the problem. It is not easy for a soldier to be bullied by a criminal with a gun, but that is what is happening there, and that is why—that is why we are talking about this other effect of the situation in Bosnia, but we do acknowledge individual bravery, of courage, of many members, especially of the U.N. HCR to help Bosnia, yes.

Senator BIDEN. If you were given the choice—and I acknowledge the choice that I am about to posit is not available to you, at this moment anyway. If you were given the choice of a continued presence of the United Nations forces in Bosnia or a total withdrawal of U.N. forces, but in its place your Government would be supplied with transportation, food, and medicine, and given the responsibility of delivering that aid yourself, which would you prefer?

Dr. SILAJDZIC. We would prefer doing it by ourselves, but for that we need the arms. The arms embargo is what is actually

humiliating. We were talking about the humiliation there. What a man told me—I saw him in Zagreb—that came from the frontline, he said the humiliation is to be slaughtered like an animal and not being able to defend yourself like a man. This is the humiliation.

That is why we think that the arms embargo, the lifting of the arms embargo is indispensable here.

Senator BIDEN. I am told that the only humanitarian assistance that has gotten to towns under siege in eastern Bosnia has been assistance that literally has been carried in on the backs of your fellow countrymen from the Sarajevo area, carried through the mountains at night over a long period of time.

First, is that true, and second, if it is, how much food is getting in? How significant an operation is that?

Dr. SILAJDZIC. That is right. I know one of them. I know one of the people who was doing that, and they do use horseback too, sometimes, but it is much more difficult now, in the winter conditions. Those are high mountains, very cold, deep snow, but they say the main problem is for them not to eat all the food while carrying it. That is the main problem. That is, how much they can carry.

Senator BIDEN. What do you believe would be the response of the Serbs to a NATO, or western decision, to initiate air drops of food, to those cities in eastern Bosnia that are now without food or medicine. Would rogue elements in Bosnia try to attack the planes to provoke international intervention?

Dr. SILAJDZIC. That is possible, although I believe, if that move is really serious and backed with some force, then they would back off as usually when confronted with the real threat, the real threat of the use of force.

But I also think that the only way to save the lives in eastern Bosnia, especially now, is by airdrops.

Senator BIDEN. Your government has persisted on a policy beyond the outlines of what you suggest your Government wants to see happen. That suggests that it is possible, and that you still want to have a country and a government that includes Bosnian Serbs, Muslims, and Croats.

Some Americans might be surprised after what has happened that you would not be happy to agree to the annexation of some part of your country as long as the Serb nationalists went with it. Why do you continue to persist in believing that, given the chance, you can put your country back together again—Serbs, Muslims, Croats.

Please describe your country's make-up, the make-up of Bosnia-Herzegovina for me, not necessarily in percentages, but in terms of ethnic composition, and why do you believe you can put it back together again?

Dr. SILAJDZIC. Well, Bosnia-Herzegovina is an old country. We all used to be Bosnians. It used to be called Bosnia's Catholics, Muslims, and Orthodox.

Senator BIDEN. Catholics, Orthodox, and Muslims.

Dr. SILAJDZIC. Yes, and Jews. Those are the four groups of people that actually built Bosnia, all Bosnia. Bosnia used to be a big Balkan kingdom that comprised big parts of Croatia and Serbia, never vice versa.

It is the 19th century that brought the idea of nationalism and nation-states, and that is when these forces in Serbia especially realized that it is possible to break Bosnia-Herzegovina on the basis of nationalism and incorporate the territories of Bosnia-Herzegovina into greater Serbia. This is about a 100-year-old plan, and it is still going on.

The truth is that these three peoples actually are one people, used to be, but because of the cultural and religious differences they are now three different national entities, but they speak the same language. Also, we call it three different ways because Bosnia is a meeting place of civilizations of different influences.

We are obviously paying the price for our pluralism now, and our riddle, persistence if you like, to preserve pluralistic society in Bosnia-Herzegovina is a reflection of what the democratic majority wants. It is not the position of the Government of Bosnia-Herzegovina.

Sarajevo is the best model. We are all there, still together, shelled and killed by people who happen to be of Serbian nationality, but all of us—Serbs, Croats, Muslims, Jews and others, are killed by those same shells, so Sarajevo is a model of what Bosnia always used to be, and is still a model of what we want to be, and what those people not carrying arms, the democratic majority of Bosnia-Herzegovina wants is living together. We can still live together.

Senator BIDEN. What is your main objection to the Vance-Owen plan at this moment?

Dr. SILAJDZIC. I think the Vance-Owen plan inherited wrong premises, and that is why the results are wrong.

Senator BIDEN. What are those false premises?

Dr. SILAJDZIC. The false premises are that the aggressor should be treated as a standard, normal negotiator, that the aggressor should be appeased in order to stop the aggression. That is why the plan incorporates the abolishment of the Bosnian Constitution, of the democratically duly elected government of the head of State, because that is what the aggressor wants.

It also divides Bosnia-Herzegovina on an ethnic basis. This is the second thing that the aggressor wants, so by actually accepting the aggressor as a normal negotiator, a standard negotiator, it is inevitable to appease him by giving him the concessions, and the concession is the abolishment of the legal authorities, the ethnic division of Bosnia-Herzegovina, and I must say, the defeat of all moral principles on which this humanity stands.

Senator BIDEN. Of course, you know Mr. Vance and Mr. Owen disagree with your assessment of rewarding the aggressor. I believe those who defend the plan—and I am not one, but to be the devil's advocate for a moment—would argue that your government moved prematurely by not willing to take into account the concerns of Bosnian Serbs who, when Yugoslavia was divided again, wished to divide, in effect, Bosnia-Herzegovina and that you prematurely declared the independence of Bosnia-Herzegovina. How do you respond to that?

Dr. SILAJDZIC. In my opinion, Bosnia-Herzegovina was recognized too late. Not prematurely, but too late. Let us not forget that Bosnia-Herzegovina and other former Yugoslav republics were

independent, were sovereign States within the constitution, the federal constitution of Yugoslavia.

The republics were sovereign States. That is the actual text of the constitution—sovereign States within the federation, and after the independence of Slovenia and Croatia, we had a referendum, so the majority voted for the independence and the government actually acted on that decision, and I must say, it is not all the Bosnian Serbs that refused that. It is part of them, and especially militant ones encouraged by the Belgrade regime.

Senator BIDEN. What do you believe would have happened to your country had you not declared your independence, had the majority in the referendum said, we do not wish to declare independence. What do you think would have happened? Would the fate of your country been any different?

Dr. SILAJDZIC. Well, that is truly hypothetical, but given the preparations made before that, the arms delivered to the civilians, the plans and designs in Belgrade, the designs for ethnic cleansing, I doubt if the result would have been much different.

Senator BIDEN. You have not mentioned Croatia. What, in your view, is the desire of the Croatian Government relative to your country? Some cynics suggest that Croatia would not be unhappy with the division of your country, and that there is a desire to increase the territory of Croatia by incorporating parts of what is now Bosnia-Herzegovina. Is there any evidence for that?

Dr. SILAJDZIC. Well, the Republic of Croatia recognizes the independence, sovereignty, and territorial integrity of Bosnia-Herzegovina, although there are some militant elements within the Bosnian-Croat leadership that are behaving in an opportunistic way, and especially after the design of the Vance-Owen plan, the maps were made public. They started creating, actually, a State within a State.

This is true, but we believe that this is temporary, that it is not going to reflect upon the relations between Bosnia-Herzegovina and Croatia in a negative way.

Senator BIDEN. So you continue to believe that it is still possible, after all that has happened in the last 10 months, for the different ethnic groups in your country to live peacefully together again? You still believe that is possible?

Dr. SILAJDZIC. Yes, I do.

Senator BIDEN. In eastern Bosnia, where there are a quarter of a million Bosnian Muslims, there are also a significant number of Serbs and Croats. Is the ethnic cleansing that you point out going on with any precision, or is it done indiscriminately? To be more precise, how clearly targeted is the Muslim population as opposed to other populations, Croats and Bosnian Serbs? Based on my knowledge of your country is it very difficult to say with certainty that any part of the country is all Muslim or all Serbian or all Croatian Bosnian. Is that correct?

Dr. SILAJDZIC. Correct, yes.

Senator BIDEN. So describe for me, to the best of your knowledge, the mechanics of how this ethnic cleansing policy is being implemented.

Dr. SILAJDZIC. Well, this is planned, premeditated kind of acts that Croats were ethnically cleansed to, but they are only 17 per-

cent of the total population. So that is why the Muslim population is targeted mostly. It is done through terror, intimidation, mass killings, and especially mass rape. It is in most cases, I might say, 80 percent the Muslim population is the target of the ethnic cleansing.

And exactly as you said, Bosnia-Hercegovina is a mixed place. There are some ethnically, if I may say so, clean territories. But those are unpopulated or poorly populated areas. Now, that is why Bosnia and Hercegovina cannot be divided on ethnic lines unless you kill expel the population. That is why the Belgrade regime is doing just that, killing and expelling, because they know, they realize that ethnic division cannot become a reality without this.

Senator BIDEN. How successful have they been? It seems to me, the more time that passes, the more the objective being sought by many Serbs is likely to come to fruition. It would seem to me that notwithstanding the fact that there are large numbers of Muslims and Croats being cleansed from the area, killed and starved, there are also a large number who are voluntarily leaving. How much longer can this go on before it becomes a self-fulfilling prophecy—that in fact you will have areas in Eastern Bosnia that have been cleansed and the only population left there alive are Serbs?

Dr. SILAJDZIC. Well, that is exactly why we say that today's situation, the bottomline is that it serves the aggression, and that the aggressor's strategy is the status quo for as long as possible.

Senator BIDEN. How do we get from where we are at this moment to a peaceful reconciliation and to unification in your country? In answering that question, would you please address the following: Who might lead the Serbs that you will not regard as a war criminal? Is there any element of the Bosnian-Serbian population that exists with whom you could deal, or can a unified Bosnia or a reunified Bosnia be achieved only through the leadership of Bosnian Muslims? You understand my question?

Dr. SILAJDZIC. Yes.

Senator BIDEN. Who is there for you to work with?

Dr. SILAJDZIC. Well, parliament—the president of our parliament, newly elected parliament, is a Serb. And if you wish so, Mr. Chairman, I can bring him here for another hearing. Eight members—seven members of our government are Serbs. So there are Serbs loyal to the government, loyal to their homeland.

Senator BIDEN. Are they orthodox?

Dr. SILAJDZIC. Yes. They are Serbs orthodox, yes.

Senator BIDEN. I am keeping you a long time, and I apologize.

Do you believe there is a difference between the Vance-Owen plan and what you at this moment think to be the Christopher plan, this administration's emerging plan? From your perspective, is there a discernible difference in terms of the starting point from which each of them proceed, or do you view the enunciations by President Clinton and Secretary Christopher as being merely that they are going to join the Vance-Owen peace plan and accept the premises upon which the Vance-Owen initiative is based, all of which you believe to be faulty?

Dr. SILAJDZIC. We believe there is a discernible difference, and the most important one is that within Mr. Christopher's plan there is an implementation clause that means that once the agreement

is reached it is going to be enforced and implemented. That is the most important item.

Then, we also believe that within the attempt to create a negotiated settlement, this is the final attempt. I see Mr. Christopher's attempt to make a final effort to come to a settlement through diplomacy. And I believe that what President Clinton has said during the election campaign has only postponed—it is not ruled out, but it is postponed—like lifting of the arms embargo, for example.

If all this fails, we do not believe that the United States of America being involved now actively in this process would leave us without weapons to defend ourselves, especially because it is our right and within the United Nations Charter right to collective and individual self defense.

So, we believe this to be a first step toward a diplomatic, negotiated settlement. If that settlement is not possible, then we believe that the use of force, arming of the Bosnians, will take place.

Senator BIDEN. You have had an opportunity, in your capacity as Foreign Minister, to deal with your counterpart in Russia. Why do you think so many Russians are opposed to the continuation of sanctions, economic and military, against Serbia? And what arguments do you use to convince Russian representatives that their Government should support additional measures to defend your country? What do you say when you are speaking to your Russian counterpart—that you could discuss with us?

Dr. SILAJDZIC. Well, I find Mr. Kozyrev a person—a politician that understands the situation in Bosnia-Herzegovina as it is, that he sees the aggression in Bosnia-Herzegovina, but he also says that he has and they have all an opposition within the nationalist part of the parliament.

Now, what I believe is the real problem, and that is a problem of the post-Communist world, is the information. I just do not believe that the Russian people have the information. If that can be done in Serbia, why not in Russia, to promote some aims, to assert superpowership, to assert the role of the military and so on, if this serves those aims? And it serves those aims, without question,

Senator BIDEN. How much pressure do you perceive nationalist sentiment in the Russian Parliament to have upon Mr. Yeltsin? Are you concerned that Mr. Yeltsin might change his position under pressure from the parliament to lift the embargo on Serbia?

Dr. SILAJDZIC. Let me put it in a different way, Mr. Chairman. Would the appeasement of the nationalist forces in Russia support Mr. Yeltsin or not? That is my answer.

Senator BIDEN. I hope he understands that answer, as well.

What is your understanding of the relationship between Milosevic and the Russian nationalists? Are they, in effect, in alliance? Is there any direct contact or is it merely a symbiotic relationship where they see the same problems that Milosevic claims he sees for his people? How close is that relationship?

Dr. SILAJDZIC. To my knowledge, it is a very real relationship. And it has—actually, it reflects the history of relations between Russia and Serbia, which is one of Russia taking advantage of Serbia throughout history, so far as I know. And it is now the case that the internal political fight between those who want real re-

form and those who do not want reform, who want to hold onto the privileges and positions.

Serbia and Bosnia-Herzegovina are taken as a vehicle of this internal struggle. This is how I see it. Not that—excuse me—not that many Russians even know what is going on in Bosnia-Herzegovina. That is a system, still, a system where the information is available to only a very small number of people, and that is all very highly politicized.

Senator BIDEN. Let me ask you a few more questions. Then I will let you go.

Some years ago, I had a very interesting meeting in Split when I was invited to a small luncheon at Mr. Tito's summer residence. Mr. Tito and Governor Averill Harriman of the United States, myself, and then Ambassador Eagleburger were invited. I listened with great fascination to Mr. Tito and Mr. Harriman, both in their eighties, recounting, literally, old war stories. They were two of only maybe three or four people still living at the time who had played major roles in World War II and the aftermath of World War II as it affected Yugoslavia then and our country.

I was struck by an observation that Mr. Harriman made after our luncheon when he said, if my memory serves me, that once Tito was gone it would be only a matter of months or years before Yugoslavia dissolved, that the only thing that held Yugoslavia together was the personal power and prestige of Mr. Tito.

The reason I recount that story is that some of us believe with much less rounding and much less knowledge than Harriman had, that Milosevic is a clearly identifiable villain and problem. What is your assessment of Serbian policy, should Mr. Milosevic be out of the picture? If Milosevic were absent, would that, in the view of your government, fundamentally change Serbian policy, or would there just be another person to step to the forefront with the same amount of force, power, and conviction, to continue the policy?

Dr. SILAJDZIC. This is an old question of the role of personality in history.

Senator BIDEN. That is right.

Dr. SILAJDZIC. Tito did play a big part, his personality, no doubt. But I think that even greater part was played by Western aid and money. And if that aid and money was around, Yugoslavia would still be there.

In Milosevic's case, it is the arms, the JMA army. As long as that army is there with vast amounts of ammunition and arms, there is not going to be peace in the Balkans. That is what I believe.

So in Tito's case it is Western aid, in this case it is the arms.

Senator BIDEN. Thank you.

One last question, Mr. Minister. Were the United States to introduce a resolution in the Security Council, following the recommendation of this body, which seeks a lifting of the arms embargo, what is your assessment of how many votes we would get for such a policy in the Security Council?

Dr. SILAJDZIC. Well, let me answer this question in two parts. The first one is practical. The second one is much less pragmatic. I think we will get about five or six votes, and probably a veto. On the other hand—

Senator BIDEN. Who would likely vote for lifting the embargo and who would likely veto, in your view?

Dr. SILAJDZIC. It might be Russia that would veto, and those voting for might be Pakistan, Venezuela, Djibouti, Brazil, and Morocco. But, of course, there is a veto there.

In any case—this is the practical part—the second part is I think that the United States of America should do that regardless of the results, because it is the right thing to do.

This world is not a very idealistic world. It has never been. But there always was a space, a small room for principles, because that is the way to survive for individuals, for nations, and for civilization. In Bosnia's case, in our case, all principles are disregarded. The basic justice we need, morality and principals, and this country, your great country, needs that.

And I believe it should be done regardless of the result because a State, a Nation, can decide not to intervene and must live with it. But then it must decide not to intervene in a negative way. And by supporting the arms embargo on Bosnia, the United States of America is violating its own principles on which it stands.

We all need a principled United States of America. The world needs it now more than ever. In this Communist era where there are a lot of weapons around, a lot of danger, we think that we need principles more than ever, and we believe that the United States of America should lean toward a practical resolution, a negotiated resolution, of the Bosnian base, but should support that solution to be a just and principled one.

Senator BIDEN. Mr. Minister, I thank you very, very much for your willingness to come and speak with us. I am impressed not only by your knowledge and obvious intelligence and grasp of the issues, but I am even more impressed by your humanity. It amazes me that you have been able to sit before this committee and in as evenhanded and almost dispassionate way, describe what has happened to your country, and still desire to maintain your pluralistic society, and to reconstruct your Nation, including all elements of the country.

You are truly an impressive man. But as I said, the thing that impresses me most is your humanity. I am amazed you are not more bitter and hateful than you are. Sitting on this side of this bench, it is almost impossible for me to fathom being in your spot and not feel such rancor and anger toward the rest of the world for failing to act, in my view, more responsibility than the Western World has acted. I admire you.

I hope that this administration and President Clinton are able to promote a just and negotiated settlement that does not reward aggression, and has as its basic premise the integrity of the Nationstate of Bosnia-Herzegovina. In the event that that is not able to be done, I, too, share your hope that the administration's policies will evolve along the lines that I have suggested or you have suggested, or some similar courses of action that at least give you an opportunity to defend yourself.

You know the Congress, Democrats and Republicans in this country, have gone on record to say that the embargo should be lifted. When placed I believe it was well intended and designed to promote the peace and save lives, to enhance the possibility of your

country surviving. It is had the perverse impact, in my view, of doing the opposite.

But in your business as a Foreign Minister and mine as a Senator, hope, and optimism, are occupational requirement. I just hope neither of us are deluding ourselves into thinking that diplomatic intervention on a grander scale by my country will not result in a better circumstance for your country.

I hope we can help you fulfill your dream for justice for all Bosnians. I have no illusions about how difficult it will be.

Again, I thank you, very, very much for your coming here and I hope that you will be able to discuss these issues with me and others, possibly in your country as well as here.

Dr. SILAJDZIC. Thank you.

Senator BIDEN. I thank you.

[Whereupon, at 4:29 p.m., the public meeting was concluded and at 4:43 p.m., the subcommittee reconvened for the afternoon session.]

AMERICAN POLICY ON BOSNIA

THURSDAY, FEBRUARY 18, 1993

U.S. SENATE,
SUBCOMMITTEE ON EUROPEAN AFFAIRS
OF THE COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

AFTERNOON SESSION

The committee met, pursuant to notice, at 4:43 p.m., in room SD-562, Dirksen Senate Office Building, Hon. Joseph R. Biden, Jr. (chairman of the subcommittee) presiding.

Present: Senator Biden.

Senator BIDEN. The hearing will come to order. Gentlemen, you have all been incredibly patient beyond what is required. We appreciate it. I understand from my staff that at least one of you has a serious time problem, General Odom.

General ODOM. I do.

Senator BIDEN. With the permission of your colleagues and the panel, rather than introducing the whole panel at the moment, General why do not I attempt to accommodate your scheduling dilemma and let you go ahead and make your statement.

STATEMENT OF MAJOR GENERAL WILLIAM ODOM, USA RETIRED, HUDSON INSTITUTE, FORMER DIRECTOR, NATIONAL SECURITY AGENCY, WASHINGTON, DC

General ODOM. I appreciate that very much, Mr. Senator, and Mr. Chairman. And I consider it an honor to appear before this committee and, as you know, I think the importance of this hearing is hard to exaggerate.

I will not try to read my statement. It is about 12 pages. Rather, let me just summarize the position I have taken.

I think there are three questions to be answered. First, do we have strategic interests in the former Yugoslavia? The moral interests are overwhelming, as you demonstrated here earlier. And the answer that Secretary Christopher has given about strategic interests is yes. My own answer is, I believe, yes. I am open to evidence that we do not, but the evidence I see suggests the whole stability of Europe eventually can be in question, not at once but over a period of time, and therefore I think it is a very serious threat to our interests.

Second, if that is the case, what specific goals should we set for ourselves in the former Yugoslavia? And third, what sort of military strategy will it take to implement them?

And just let me briefly say what I would set for the goals. First, reduce the violence, preventing the artillery and aerial bombardments and other military action by tanks, airplanes, and artillery.

That goal should not include stopping all the violence. I do not think we should commit ourselves to going out and tracking down every band in the mountains or the hills, or destroying all the insurgents. I was interested in the foreign minister's comments that when the former Yugoslav Army's equipment and weapons are gone, things will change. That would be the specific purpose of the first goal I state here. Lower the violence, but do not commit ourselves to the kind of pacification we have attempted in other cases of intervention.

Second, prevent the conflict from crossing any international boundaries other than the former Yugoslavia, internal boundaries. I have in mind particularly the potential internationalization into Albania, Greece, and Bulgaria.

Third, maintain this security context as one in which negotiations can take place for a very long time, beginning with no preconditions on what the final settlements ought to be.

Fourth, stop the ethnic cleansing and deny retention of territories acquired by such operations.

Now, if we went in with those kinds of purposes, what kind of force will it take to achieve them? I think it will take a very large force and I think it will take a commitment to stay there for 10 to 20 years. I have suggested roughly 6 to 10 divisions. Not U.S. divisions but NATO divisions, and I would also try to involve the Russians and perhaps the Ukrainians as well. I think the U.S. might supply a division or two and use the NATO command and control. We should intervene in all republics—not just one, all but Slovenia, and we should set up a system of strongpoints, none smaller than a brigade.

And the reason I choose this approach, and I would also insist on these forces being mechanized in tank brigades, is that our experience in Vietnam was that no tank units in fire bases of battalion size were ever overrun. We did have infantry and artillery fire bases overrun, and those were only battalion size. What I am proposing is fire bases three or four times as big, and the idea is creating a military posture which can limit the casualties to this force to a remarkably small number once the intervention is in place. And then I would leave local law and order to the the local government law enforcement forces.

And I would be prepared to stay in that military posture for a long, long time. If we go in expecting a quick settlement, we will be there a long time. If local leaders know we have come for two decades, I think there will be a greater sense of urgency to get a solution. People can dismiss this massive intervention as sort of ridiculous, and I think a lot of shock is felt when you first hear me say that, but I have largely sketched out this approach to try to expand our thinking. Maybe we do not want to follow it, but we have precedents for it. We have been in Korea for 40 years. We had many more U.S. divisions than I am proposing here in Western Europe for over 40 years.

If one thinks of the alternative, a general decline in the civility of international relations in Europe, Europe to the Urals, in which

Russia might eventually be more clearly sided with Serbia and the Central European powers more openly sided with Croatia, Turkey and other Moslem countries being very much on the side of Bosnia, that is not a formula for economic prosperity and international stability in a key region of the world. Eventually it would adversely affect U.S. jobs through our interdependency with Europe. And therefore a large intervention force just may be an overhead cost that one has to pay.

There are those who say let the Europeans do it. That is a cop out. The Europeans cannot do it. They can talk about it. They can, if we catalyze NATO with our leadership, contribute mightily, and what I am suggesting here is that they carry the lion's share of that intervention load. And I do not think action will be taken unless the U.S. takes the lead.

It cannot be done shortly. I think it would take 6 months to a year of diplomacy to bring about a consensus for an intervention of the kind I outlined. It would require a change to the law in Germany, allowing German troops to be used on such a mission. A number of other preparatory steps would be necessary. But I think merely the process of preparing to intervene or the process of trying to get an agreement to do this kind of intervention will be a very healthy exercise in itself, even if we eventually did not do it.

Let me end my remarks with that.

[The prepared statement of General Odom and additional material follow:]

PREPARED STATEMENT OF LT. GEN. WILLIAM E. ODOM, USA, RETIRED

Good morning, Mr. Chairman. It is an honor but also a great challenge to appear before this committee to comment on such a complex and difficult question as U.S. policy toward the war in Bosnia. Because I have published a brief analysis on this issue with a proposed strategy for dealing with it, I would like to add it as an appendix to my testimony. I will draw heavily on it in my opening remarks.

I see three major questions that must be answered in deciding how to deal with the Yugoslav tragedy:

—First, does the United States have strategic interests at risk there that are of sufficient importance to justify U.S. action beyond mere diplomacy? To be sure, the moral interests are overwhelming, and I give them great importance, but before introducing them, it makes sense to examine purely strategic interests.

—Second, if the answer to the first question is yes, then what goals should a U.S. strategy for Yugoslavia seek to achieve? Here I mean reasonably precise operational policy aims for which success or failure can be clearly determined if we pursue them.

—Third, what military strategy and means are required to make the attainment of those policy aims feasible?

In answering the first question, I am inclined to agree with Secretary Christopher's recent statement elaborating our strategic interests in this affair. If indeed the conflict spreads beyond the old Yugoslav borders to affect directly Albania, Greece, and Bulgaria, then the ramifications for peace and stability in Europe are disturbing. Even if that does not happen, the war can adversely affect international relations. Already we see a number of European states taking sides in the conflict. Some members of the Russian parliament openly side with Serbia. Turkey has tilted understandably toward Bosnia. Greece, for its own domestic reasons, quietly favors Serbia. Germans, Italians, and Austrians are inclined to side with Croatia. The list could be continued, but the point is clear. As various outside states take sides in this war, they make their relations among each other more difficult, and they do this at a time when cooperation is most needed to establish a new security and economic order in the whole of Europe.

The puzzling thing about Secretary Christopher's analysis is the wholly incommensurate policy response for the U.S. interests he sees at stake. He describes a

dynamic that could unsettle the whole of Europe but proposes no action beyond sending an ambassador to join unpromising talks among the warring parties.

It has been argued that the war will not spread, and that even if it does, its impact will not significantly affect the rest of Europe. If that is true, and I remain open to evidence that it is, then little commitment of U.S. leadership and power is required. Some argue that by arming the Bosnians we could cause a stalemate, holding Serbia in check. They do not convince me, however, that such a course of action will not eventually bring Russia and others in on the Serbia side, thereby creating the kind of diplomatic internationalization of the conflict that could indeed adversely affect stability in Europe. Other limited measures such as no-fly zones and selective bombing of Serbia carry all of the same dangers without promising a high probability of stopping the conflict.

Let us assume that we do have U.S. strategic interests at stake. That takes us to the second question, specific and clear policy aims which an intervention should achieve. Let me state what they might be:

- First, reduce the violence, preventing artillery and aerial bombardments and other military actions by tanks, artillery, and aircraft. This goal should not include stopping all of the violence. Preventing small groups or bands from military actions with small arms and mortars would be extremely difficult. Containing and reducing this kind of activity should be left to local authorities after the large military actions have been stopped.

- Second, prevent the conflict from crossing international borders beyond the former Yugoslavia.

- Third, maintain this security context in which negotiations can take place, perhaps drawn out for many years.

- Fourth, stop the ethnic cleansing and deny retention of territories acquired by such operations. A position on the final disposition of borders, however, should be left open for the warring parties to negotiate, not predetermined by outside parties.

With these goals as its purpose, what kind of Western military scheme makes sense? In my briefing paper, I propose that a NATO force, joined by Russia and perhaps Ukraine, of six to ten divisions be deployed. It should enter not just to Bosnia but all parts of Yugoslavia except Slovenia to create strong points, none smaller than a mechanized brigade in strength. These strong points should be located at communication centers that allow control of the movement of all major military units. These forces should prepare for a long stay, perhaps 10 or 20 years.

The U.S. portion of this force would be one or two divisions. The rest, another five to eight divisions, more if necessary, would come from the European members of NATO and Russia and Ukraine. The Europeans would carry by far the largest part of the burden.

The idea of such a huge military operation, of course, causes shock to most people when they first consider it. They find it absurdly implausible. It may be. An increasing number of people, however, have told me since I first made this proposal last fall that they find it less absurd the longer they ponder it. Let me explain why I came to this plan, not necessarily to convince you but rather to expand our vision of what is required if we truly believe our strategic interests, as Secretary Christopher described them, are at risk.

First, General Powell has been right about the inadvisability of limited military measures. All such proposals I have heard strike me as more likely to worsen that to improve the situation. Escalating slowly is imprudent; escalating rapidly to the highest rung of the ladder is wise. Gradual escalation gives opposing parties time to adjust. Going to the top rung at once has a huge shock effect that increases the chances of success. It also would let us see very early whether it will work. If it does not, we can cut our losses early and decide on another strategy. Gradually slipping deeper into this Yugoslav conflict strikes me as no less unwise than it was in Vietnam. The difference with Vietnam is that we had no solid strategic interests there. Containing China was a Soviet policy goal and a clear Soviet interest. Committing U.S. troops to achieve Soviet purposes made no sense. In Yugoslavia, if the stability of Europe is at risk, then both Washington and Moscow have a shared interest in containing and stopping the war, not to mention the rest of Europe.

Second, any military scheme should certainly try to minimize casualties to its forces. The initial deployments into the various republics could prove nasty in a few instances, but the fighting capacity of the Serbian and other forces against NATO forces is not all that great. The indigenous forces are unlikely to resist the initial entry of NATO forces and are more likely to retreat and try to develop an insurgency against them after they are in place.

The key challenge, then, is how to meet the longer run insurgency challenge. In Vietnam, U.S. forces took most casualties in search and destroy operations, that is, actions aimed at tracking down and wiping out VC forces. Occasionally, U.S. firebases, battalion-sized strong points, were overrun, but to my knowledge no armor or mechanized firebase was defeated during that war. What I propose for Yugoslavia is much larger strong points, mixed tank and mechanized infantry brigades, that is, three battalions or more, within well-fortified perimeters and security outpost systems. Since they would not be required to track down all irregular forces in difficult terrain, they need not expose themselves to significant personnel losses in Vietnam-like pacification operations.

After the initial deployments, and once most of the Yugoslav tanks, artillery, and other heavy weapons were destroyed or collected, the fighting should become only sporadic and incapable of causing significant casualties to the intervention forces. Escorting supply columns and patrolling would require operations outside these strong points. But heavy forces—tank and mechanized, backed by helicopter gunships, close air support, and artillery—should be able to move convoys through obstacles, ambushes, mines, or other things thrown in their way without casualties most of the time.

Third, by having all of the major powers in Europe joined in the intervention, outside suppliers to irregular military forces in Yugoslavia would be limited. In this regard, the situation would differ dramatically from Vietnam and Afghanistan. Over time, even the most stubborn insurgent forces would find it difficult to cause damage to intervention forces.

Fourth, local authorities and police would slowly take over the task of dealing with insurgent groups. The intervention forces would not be there on the side of any one republic, ethnic group, or party. As that became clear, whipping up local enthusiasm to fight them would be more difficult, especially since they would not be out searching and destroying insurgents except on occasions where intelligence and reconnaissance indicated major groupings that might mount a significant attack on a strong point. That should be seldom, less seldom as time passes. The intervention forces should seek to be seen as an impartial source of order, drawing public support.

Fifth, 20 years may sound unacceptably long for such a commitment, but is it? We have kept forces in Korea, Japan, and Western Europe much longer. In this case, most of the forces would be from Western Europe. One thing is certain. An intervention committed to remain a short time would become entangled for a long time. If the warring parties know it has come for a very long stay, they are more likely to become serious about a settlement, making an earlier departure more likely.

The more important consideration, of course, is the alternative. If the dangers arising from failure to act in Yugoslavia are what the Secretary of State suggests, then this kind of large, long-term commitment is preferable. A Europe slowly giving way to bickering and inaction while the conflict spreads would surely become an unstable Europe whose economic prospects would dim. That would affect the U.S. economy, not to mention our larger security interests. The cost of the military forces for such an intervention would seem modest by comparison with the cost of doing nothing or taking ineffective although more limited military actions.

Sixth, some by-products of such an intervention are possible although not assured. It could send an important message to other leaders in Eastern Europe and some of the former Soviet republics who are inclined to resort to force in domestic politics. It would not deter them all, but might deter some.

It would also get the Europeans committed in a cooperative way to their own security. NATO's mission, security in Europe, is far from over. It has merely changed in character. This kind of intervention could force a more effective adaptation of NATO to new and changing challenges in Europe, and it could bring Russia into that process in a constructive fashion.

Some critics of intervention argue that the Europeans should handle the problem alone without U.S. help. This is a deceptive evasion of our responsibility. Perhaps they ought to, but we know that they cannot. If they could, they would already have achieved the political and military integration envisioned in the Maastricht Treaty. Today they are farther from that goal than when it was signed. Many Europeans await U.S. leadership in this case with deep concern. If we cannot provide it, talk of a new world order is pure fantasy. Talk of new world chaos will soon replace it, and that state of affairs will hurt the U.S. economy far more seriously than most critics either admit or realize. We can abandon our international leadership role, but the price will include a major reduction in our prosperity as our economic interdependencies we now share with Europe and East Asia breakup.

Seventh, the strategy I propose here cannot be implemented at once, not even in a few months. It would need UN Security Council blessing, although it would be primarily a NATO action. It would require lengthy negotiations, bilateral and multi-lateral, with all the members of NATO and several other European states. It would require that Germany change its law, permitting its forces to participate. It would require massive planning for coalition military management and the rules for dealing with local authorities. It might meet insurmountable obstacles in Western Europe or in Russia, not to mention by the U.S. public.

This list of hurdles would require months, perhaps a year, to surmount, and we might fail to get over some. The process itself, however, would be worth the effort. It would either help begin the structuring of a new international security order, or it would make us see more clearly that no such order is possible without a much larger and more determined effort.

Let me conclude by admitting that this line of analysis and argument is only valid if Secretary Christopher's assessment of our interests at stake is accurate. I am inclined to agree with his assessment. If he is right, then we desperately need to begin thinking about a response equal to the stakes. Merely sending an ambassador to participate in more futile talks is bound to draw the most cynical skepticism about U.S. leadership and power.

The great danger is that we slip into a military involvement by small ineffective steps, never admitting where they lead. That was precisely what President Kennedy did in his three years of dealing with Laos and Vietnam. If Secretary Christopher does not believe we can commit the kind of forces I suggest, then he should have given a different assessment of our interests and refused to become involved at all. Virtually all of the discussion about options and strategies that I have heard to date are either patently hopeless or likely to produce the very results they seek to avoid. The level of realism in the debate, public and official, has, thus far, remained disturbingly low. This committee's hearings, in my view, are most timely if they can reduce the fantasy talk about the conflict in Yugoslavia and introduce some uncomfortable realism.

If the United States challenges its allies to address a strategy as demanding as the one I have outlined here, it will force a much sounder analysis of what is in fact likely to occur in Yugoslavia. If NATO begins to make plans for such an intervention, that alone would be healthy for the Atlantic Alliance, helping it adapt more quickly to its new challenges. Finally, starting the planning for an intervention does not make an intervention inevitable. It might even make it unnecessary. It certainly would either build a popular consensus for intervention or prove that such a consensus cannot be built.

Thank you, Mr. Chairman, for letting me share my thoughts with you and the committee today. As you see, I view the committee's attention to the Yugoslav crisis as among the most important things it has done in recent years. Which ever course of action is wisest, intervention, diplomacy not backed by military power, or disengagement, the stakes are very high. They could include the making or the breaking of a new international security system.

(From the Hudson Briefing Paper, November 1992)

YUGOSLAVIA: QUAGMIRE OR STRATEGIC CHALLENGE?

(By William E. Odom)

SUMMARY

To the consternation of supporters of increased European union, Europe has proven incapable of dealing with the carnage on its doorstep. While Western European political leaders dither, Yugoslavia commits suicide, the viciousness of its actions increasing the indecision in European capitals. In this briefing paper, William E. Odom, Hudson's director of national security studies, argues that only NATO, led by the United States, can effectively muster the military and political will to stop the Serbian and Croatian bloodletting.

Achieving a perfect regional peace is an unattainable goal. Fortunately, that is not the only option. A well-equipped force of 300,000 to 400,000 troops might pose enough of an obstacle to a continuation of the large-scale hostilities to allow the imposition of a peace process.

Moral, political, and economic factors all support American-led intervention in the Yugoslav civil war. What we stand to gain is important: peace, economic stability, continued legitimacy for the new and existing European democracies, and reaffirmation of America's leadership role in Europe. What we could lose through inaction

is sobering: NATO unity, the democratic gains of the last decade in Central and Eastern Europe, international cooperation, and much more.

INTRODUCTION

Is the crisis in Yugoslavia a quagmire, another Vietnam, a situation to be avoided at all costs? The former judgment is the conventional wisdom, and most of those who favor U.S. involvement see it as a moral challenge, not a strategic one. The debate needs to be widened to discuss the strategic and human dimensions of the civil war among the South Slavs.

Although it may become a quagmire, Yugoslavia is not another Vietnam. The strategic objective in Vietnam, as articulated by Secretary of State Dean Rusk, was to contain China. In the 1960s, however, continuing to contain China was a primary interest of the Soviet Union, not of the United States. Committing half a million U.S. troops to support Soviet strategy made no sense. Until Americans understand this basic flaw in the U.S. involvement in Vietnam, we will continue to draw flawed lessons from it. It never was in our strategic interest to be so heavily involved.

On the other hand, containing and reducing the violence in Yugoslavia may well be a strategic interest of the U.S. Although the moral reasons for intervention are compelling in their own right, they are not the only incentives for seriously considering U.S. involvement within a U.N. and NATO context. Let us review what those additional reasons might be.

The Stability of Europe

First, a stable and democratic Europe is generally agreed to be a key U.S. interest. If there is to be a new world order, surely that kind of Europe will be one of its cornerstones. European political and military unification has been an aspiration for a long time, of course, and the Maastricht Treaty appeared to be a major step toward that goal. A united Western Europe, if it is to be anything, ought to be able to deal with peace and war in Eastern Europe. But recent efforts by the EC and Western European Union to intervene in Yugoslavia make it painfully clear that such a new Europe is not at hand and is not likely to arrive in the near future.

Why is the outlook for European unity so bleak? The answer lies in understanding how Western Europe has made as much progress as it has in its cooperative economic and security arrangements. Throughout the Cold War, the United States military power within NATO served as an effective substitute for a supranational political authority in Europe. The U.S. presence made it possible for old adversaries to trust one another in ways never before possible. France, however, has long bridled at the U.S. leadership role in Europe, and some German political leaders share that emotion. At the same time, asking the United States to leave Europe means accepting German predominance in any new supranational political structure. The malaise and confusion in France today arise over the dilemma of whether to place the country's future in a Europe led by Germany or an Atlantic community led by the United States. Most Europeans, including most Germans, prefer the latter solution, but they are unsure of American constancy in the post-Cold War era.

Only a strong NATO with the U.S. centrally involved can prevent Western Europe from drifting into national parochialism and eventual regression from its present level of economic and political cooperation. Failure to act effectively in Yugoslavia will accelerate this drift. That trend toward disorder will not only affect U.S. security interests but also U.S. economic interests. Our economic interdependency with Western Europe creates large numbers of American jobs. Thus, Yugoslavia stands as a test of the resilience of the Atlantic community. That is indeed a major strategic challenge for U.S. leadership.

Second, transitions to democracy and market economies in Eastern Europe are essential to the stability of the whole of Europe. If several of these former Communist states fail to make the transition, they are likely to turn to dictatorships that maintain the old statist economies, poverty income levels, hyperinflation, and wide discontent. Weimar Germany is often cited as the model for the political developments beginning to take shape in Eastern Europe, and this view has a certain cogency. Ethnic strife and border quarrels are sure to increase in number and intensity. An independent Slovakia with nearly one million Hungarians within its borders will be tempted to engage in "ethnic cleansing." Lithuania has hardly been tolerant of its Polish minority, and it eyes Kaliningrad (old Königsberg), which it insists was once part of Lithuania, Transylvania, populated by Romanians and Hungarians, is another potential environment for "ethnic cleansing."

The example of Yugoslavia will make an important impression on leaders in other troubled areas. If Serbians and Croats get away with ethnic cleansing, other East Europeans will feel less constrained. Former Soviet republics such as Moldova, Ukraine, and Russia will also be affected by the Yugoslav example. An effective

NATO-led intervention in Yugoslavia may not prevent similar problems elsewhere in the region, but it should have a restraining influence.

Third, as the conflict widens in Yugoslavia to include Macedonia and Kosovo, it is bound to spill across international borders into Bulgaria, Greece, and Albania. The consequences are terrible to contemplate. Can a wealthy and democratic Western Europe sit by and tend to its internal affairs while strife expands in neighboring states? Here the moral and ethical factors begin to take on strategic significance for the preservation and development of the political values of Western Europe. The hypocrisy of standing aside could weaken those values and eventually undermine the legitimacy of liberal democracy. Germany's troubled debate on the flow of refugees arriving there is just the beginning.

Meanwhile, Serbia, Croatia, and Bosnia mark a historic cultural, religious, ethnic, and political fault line in Europe: Orthodox Slavs versus Catholic Slavs versus Muslims. Their fellow ethnics or coreligionists in Russia, Western Europe, and Turkey could well be drawn in. If one ponders the potential expansion of the Yugoslav civil war, it is difficult to see how it can be ignored and expected not to have an adverse effect on relations among a large number of European and Middle Eastern states.

A Plan for Intervention

Several compelling strategic factors, therefore, favor a NATO-led intervention. The stumbling block seems to be that no one believes that a military intervention can be effectively executed. No clear political objectives have been suggested, nor has a technical military plan been advanced. To move the discussion off dead center, let me suggest the following approach.

First, the political objectives have to be limited and specified. They could be as follows:

- Reducing the level of violence, although not stopping all aspects of the fighting;
- Preventing the conflict from crossing international borders;
- Creating a negotiating context that can last until all parties reach a viable solution, which might take several years; and
- Forcing the immediate return of any territory taken by force or ethnic cleansing.

Achievement of these objectives would bring the conflict under a degree of control, reduce the casualties and human suffering, and demonstrate that such violence will not achieve lasting gains.

The second step is to design a military intervention to support these goals. What would it look like? Air strikes could destroy all the air forces in the country and reduce the amount of artillery now steadily shelling urban areas. Then, a large complement of ground forces would enter Croatia, Bosnia, and Serbia. Eventually, they would probably have to enter Macedonia. This action would require six to ten divisions of heavy forces. With supporting units, this could mean 300,000 to 400,000 troops.

The tactical employment of these ground forces should be designed to prevent friendly casualties and keep them to the lowest level possible. At the same time, it should reduce if not eliminate operations by indigenous regular military forces. It should not aim at stopping all irregular military actions but rather attempt to keep them limited in scale and few in number.

These tactical aims might be achieved by selecting a dozen or more locations astride key cities and road networks in which to place large military "fire bases"—that is, fortresses of armor, infantry, artillery, and helicopter units deployed within circular defenses too strong for penetration by local forces. Each fire base should contain at least one reinforced brigade and perhaps two or three brigades, and they should have heliports or airfields within their perimeters. Over time, comfortable facilities could be built for the troops, making these bases into small, self-contained military cities. The fire bases should maintain reconnaissance throughout their sectors of responsibility, looking for local military groupings that might attack them or the local populace.

Once in place, this network of strong points would be able to reduce the civil war to small and limited actions. As NATO forces slowly gathered up local weapons and ammunition stocks, even those limited actions would subside. This military posture would have to be sustainable for several years while negotiations created a context in which uncooperative local political leaders might be overthrown by NATO-sponsored elections.

Who would supply such a large occupying military force? Germany, France, Britain, Turkey, Italy, and Greece together should contribute at least four or five divisions. Russia and Ukraine should provide some units. And, of course, the United States would have to provide a division or so (50,000 to 100,000 troops), perhaps

a heavy corps and many special units with capabilities not extant in the European forces. Only the United States has the command, control, communications, and intelligence means to knot together such an operation.

The Potential Benefits of Action

The arrival of such a force—and the knowledge that it had come to stay for many years—would create an entirely new political mood in Yugoslavia. The negotiators and political officials aligned with this force would have to win enough political support among local leaders to prevent a polarization of all the local peoples against the intervention. Bringing food and medical supplies, of course, should be enough to win some initial acceptance, and the reduction of violence should expand that popular support. In time, many towns and villages could return to normal life.

This approach to the employment of ground forces should avert tragedies such as the attack on the U.S. Marine battalion in Lebanon. The strongly fortified bases should make it extremely difficult for local irregular forces to inflict casualties on the intervention forces. Nor would large casualties arise from "search and destroy" operations like those conducted in Vietnam. Vietnam-style "pacification" would not be a mission of these forces. They would not be committed to tracking down small guerrilla groups in the mountains. They would only seek to prevent major military operations between the warring parties. Therefore, the German Army's experiences in Yugoslavia during World War II are not a relevant measure of the difficulties to be faced in this crisis, nor are the U.S. experiences in Vietnam and Lebanon.

To maintain such a deployment for years, maybe a decade or two, may seem impossible at first thought: but we do have precedents such as several decades of large deployments in Korea and Western Europe. They have been preferable to the alternative: that is, endless civil strife and wars. Because Yugoslavia is in Europe, the bulk of the forces must come from Europe, but only the United States has the experience and the means for putting such a large operation together and getting the multilateral cooperation it would require. No alternative exists in Europe today. No single state's military establishment comes close to having the know-how or the means to lead such an operation.

This approach may not be the single best solution, but it offers a starting point for thinking practically about what we can and cannot do. If the strategic reasoning offered here about why the United States should undertake such an operation is flawed, someone needs to make that case cogently. If the limited political objectives are flawed, someone needs to suggest better ones. And if there is a better military plan, it should be advanced.

Moral indignation and hand-wringing may be understandable, but they offer no basis for action. Executive and legislative officials dismissing all military options with generalizations about Vietnam and quagmires are equally unhelpful. We do not have several years to debate this issue. It is high time we moved beyond posturing and decided whether, indeed, we have strategic interests at stake in Yugoslavia and specifically what we can do about them.

Senator BIDEN. General, it sounds to me like—and I do not dismiss your recommendations—I once described Maastricht as an attempt by the Europeans to write a commerce clause that we have had for a couple of hundred years. It seems to me what you are talking about is essentially shifting NATO south and east for another 20 years.

General ODOM. Well, it needs a mission and that would be a very good one. I cannot think of a better one. Let me make one other point that I omitted, but is terribly important here. I know you favor a number of smaller military actions. Let me tell you the difficulty I have with smaller military actions.

The Chiefs—as I understand the record of the Joint Chiefs of Staff in 1964 and 1965—advocated a very rapid escalation to the top rung of the ladder in Vietnam. I did not really support our being Vietnam as a strategic matter, because I thought the containment of China was in the Soviet interest not in the U.S. interest, and I did not share the enthusiasm of some people for pursuing Soviet foreign policy interests with our troops.

But set that aside, had we gone—

Senator BIDEN. I wish we had not. But go ahead, set it aside.

General ODOM. But set that aside, if we had gone to the top rung of the ladder early we would have discovered much earlier whether or not it would have had the desired effect. The worst course, in my mind, is to go into this thing by small steps, escalating slowly, allowing our adversaries to adjust to each step.

I listened to the foreign minister and I quite agree with him. We should either stop interfering by telling the Bosnians what they cannot have, and get out completely, or we have to think about going to the top rung of the ladder. Otherwise, we will do stupid things that cause this situation to be worse and worse and worse until much later we find ourselves at the top of the escalation ladder, paying a much higher price in dealing with more difficult problems.

Senator BIDEN. General, what you have said today does not surprise me except for one thing—that you would see to it that these 6 to 10 divisions were located not in Bosnia, but in all of—

General ODOM. Absolutely. You have got to get ahead of the spread of violence. We are now focused on only part of the problem. The problem in Kosovo and the problem in Macedonia stand outside our view awaiting us.

Senator BIDEN. I, quite frankly, think that is the most difficult aspect of your recommendation. I do not pretend to have your expertise or background, but the idea of telling the Croats, for example, by the way, here comes a division, make room for them. I think that might be difficult.

I am not treating this lightly and what I would like to do, if you are willing, is submit to you some questions in writing and if you could, at your leisure, provide our committee with answers that would be extremely useful.

General ODOM. I would be honored to provide them, sir, and I really appreciate you making this change in your schedule.

Senator BIDEN. Well, I thank you and your colleagues, and I apologize. We are actually 1 hour and 15 minutes behind where we had hoped to be by now, and I appreciate your patience.

General ODOM. And I do want to say, once again, how terribly important I think this hearing is. I think the issue is not being aired on a broad enough basis. And I tried to expand this debate with my written statement, which I do not expect you or anybody else to go through right now, but I think its substance is at least worth pondering when you have time. And I do not, myself, know whether I am 100 percent committed to it, but it strikes me as reasonable.

Senator BIDEN. And you and I are similarly situated in our recommendations in that, as you heard me say earlier today, if somebody just said Biden put forward a 10-point plan, it would lead one to believe that Biden was absolutely certain of precisely what should be done. Biden is not absolutely certain.

The purpose of this hearing is for the reason which you stated, to broaden this discussion, to focus us more on what we have inherited and what can be done about it, and to hopefully reach a judgment in terms of all we can recommend at present. We can stop a foreign policy; we cannot initiate a foreign policy. That is not the function of this body, nor is it institutionally equipped to do that.

And so, to begin with, there are two things we agree on, General. One is we had better damn well know what our goal is before we do anything. And two, we must have a reasonable estimate and not kid ourselves about how much of a commitment has to be put forward to attain that goal.

And I thank you for your contribution and again apologize for keeping you waiting.

General ODOM. Thank you very much.

Senator BIDEN. Thank you.

Gentlemen, thank you very much. Let me very briefly introduce you all for the record. Mr. Neier is the executive director of the Human Rights Watch. He has traveled the region of the former Yugoslavia on a number of occasions in recent months and is very familiar with what is happening in Bosnia.

Mr. George Kenney is a former desk officer for Yugoslavia at the Department of State. Mr. Kenney resigned from that position last August to protest the Bush administration policy toward the Yugoslavian crisis. He is now the executive director of the Center for European and Balkan Security.

Let me point out, Mr. Kenney, we truly welcome you here and are happy you came. I know you are not, and I want to make it clear for the record, that I am not, looking to cast blame on the last administration. I would just like to get your perspective not of the last administration but of the circumstances.

Mr. KENNEY. Of course.

Senator BIDEN. And Mr. David Gompert, the former senior director for European Affairs at the National Security Council, now based at the RAND Corp. in Washington. I welcome you and your expertise. We are anxious to hear what you have to say.

Again, gentlemen, I am truly sorry for having kept you waiting.

STATEMENT OF GEORGE KENNEY, EXECUTIVE DIRECTOR, THE CENTER FOR EUROPEAN AND BALKAN SECURITY, CONSULTANT TO THE CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE, FORMER YUGOSLAV DESK OFFICER, DEPARTMENT OF STATE, WASHINGTON, DC

Mr. KENNEY. Well, thank you, Mr. Chairman. If I may read a short statement.

Senator BIDEN. Please. Your time is only limited by your schedules, not mine. I am here as long as you all wish to be here.

Mr. KENNEY. Well, I appreciate your kind invitation to appear before this subcommittee. I applaud your efforts to use this and other hearings to help forge a consensus among the American people that the war in the former Yugoslavia directly threatens American interests, and that we should do something about it, without delay.

We are, I believe, faced with a difficult political paradox. The crisis in the former Yugoslavia will continue to deteriorate dramatically unless the West intervenes. For their part, Western publics, by and large, feel strongly that something, whatever that something may be, must be done to arrest the crumbling away of the underpinnings of civilization in Europe. Yet too many politicians continue to think that political costs of an effective intervention

outweigh its benefits. As often happens, governments underestimate the intelligence of their own publics.

It may well be that Western governments will not act until they feel tangible pain from inaction. By then it may well be too late. Indeed, I foresee our mistakes setting the stage for an entire future generation of diplomats and politicians who will strive to cope with collapsed European security arrangements, just as we took a generation to recover from our failure to halt the spread of communism in Eastern Europe after the Second World War.

I would submit to you that we have arrived at a turning point in world history. Serbian aggression in the former Yugoslavia is a uncompromising test of our will to support freedom, democracy, and civil and human rights in Europe. If we cannot stand up for these principles in the former Yugoslavia, it is difficult to say that we are truly prepared to defend them elsewhere in Europe. The danger is that again Europe may embark on its unfinished agenda of the politics of race.

Because of that peculiar European disease, America has been involved in two world wars. Western democracies have had a lot of unpleasant experience with unchecked nationalism; by now we know what it is. Serbia under Milosevic is no different than Germany under Hitler, except that Serbia is smaller. We know, or ought to know, that appeasement of Milosevic—indeed, what is even worse, capitulation under direct attack—will not remove his threat to our security.

Moreover, Milosevic, so far, so totally outsmarts the outside world that it is fair to say through the example he sets in the former Yugoslavia he shapes most of the critical elements of the United Nations' role in the post-Communist world. He is turning the United Nations, and other international organizations which all could show such promise after the cold war, into hollow bodies strongly reminiscent of the old, ineffective League of Nations.

Over the long run, this crisis demonstrates that the world desperately needs institutions which can handle the high intensity regional conflicts we are likely to see, particularly where they involve Europe. The UN and NATO, as now constituted, cannot do the job. But over the short run, we cannot afford to wait for radical reforms of existing institutions or the creation of new ones.

Unfortunately, the European powers are not going to act on their own and it is no good pretending to expect leadership from them. America has only one choice; we must keep Europe from falling apart in spite of itself. America, I believe, can and must lead the way to a new world order, starting in Europe.

I will not review for you all the policy issues. The stakes are reasonably clear, so should be our goals, if we remain true to our often articulated values. And so are the means to achieve those goals, although reasonable people may differ over what might work best.

But I want to emphasize again the importance of political consensus. With help from elected officials farsighted enough to understand the seriousness of this crisis, I mean especially in the Congress, I believe we in America can reach a political consensus to act which will at least help frame the choices for the Clinton administration.

Public groups should mobilize. The public debate should resonate more widely. We face an interesting and very profound test of ourselves as individuals, of our conscience, and our collective power. Through facing this test, we may make history.

Thank you very much, Mr. Chairman.

Senator BIDEN. Thank you. Mr. Gompert.

STATEMENT OF DAVID GOMPERT, RAND, FORMER SENIOR DIRECTOR FOR EUROPEAN AFFAIRS, NATIONAL SECURITY COUNCIL, WASHINGTON, DC

Mr. GOMPERT. Mr. Chairman, I do not have prepared remarks, but I would like to offer some observations that I hope will be helpful perhaps in bringing out a few things that have not been mentioned in the course of the afternoon.

I would like to comment briefly on four points: the first is American interests, the second is the risks and difficulties of dealing with this situation, the third is the new administration's approach, and the last point is the pivotal question of American ground presence, particularly in Bosnia.

In regard to our interests, it is often argued by those who favor noninvolvement that we have no strategic interests exposed due to conflict in the Balkans. At the other extreme, it is argued by those favoring intervention that we have a moral responsibility and imperative to do so. I do not think either one of these propositions really provides a basis for policy or for building national consensus. I think we need a hard-nosed, dispassionate understanding of what our interests are.

My own view is that while we may not have vital interests immediately imperiled by conflict in the Balkans, we certainly do have significant national interests above and beyond the moral responsibilities, and I will cite three that I think are the most meaningful.

First, as has been mentioned frequently, as this conflict continues, it tends to spread. It has already spread from Slovenia to Croatia to Bosnia, and the continuation of the conflict will threaten the continued spread of the conflict. As it threatens to spread, it will affect—not might affect, but will affect—NATO allies of the United States. We cannot be indifferent to that and at the same time claim that NATO remains a cornerstone of U.S. national security.

Senator BIDEN. You say will affect. In what way do you mean it will affect it?

Mr. GOMPERT. It will affect it through the spillover of the conflict in the form of refugees, through pitting one NATO ally against another, or perhaps even drawing NATO allies in. This is not the case with regard to Bosnia. It could well be the case with regard to conflict in Kosovo or Macedonia.

The second point I would make about our interests is the future of a democratic order in Eastern Europe, which after all was one of the most important fruits of our victory in the cold war.

I believe that instability, conflict, and aggression in the Balkans could threaten to abort democracy in at least a half-a-dozen former Communist States where there is some promise of a democratic future. We could be left with only a small handful, a couple or three, successful democracies in a part of the world that just a few years

ago we thought would be uniformly democratic and still hope so today. But this conflict is already putting enormous pressure, and I think if it continues and spreads it will put perhaps unbearable pressure on fragile democracies throughout a large part of Eastern Europe, which I think affects an important American interest.

Finally, I would say simply that this century suggests that when there is a war in Europe American interests are affected by definition. To be sure, the two previous cases in this century in which European security and stability were threatened were from single, sinister powers, and I do not think we have that in this particular case. But, I think we would be very unwise to underestimate the force and the ramifications of tribalism in Europe today as a new and sinister threat that could affect American interests.

So, I think we do have perhaps not vital interests that are immediately at stake, but we have very important interests that do argue strongly for our involvement and our leadership.

That said, let me make a comment about risks and difficulties, because I believe that the risks and difficulties of trying to bring an end to this conflict, of trying to solve it on a fair, just, and lasting basis, are considerable.

Much as I would like to believe otherwise, I believe that attempting to bring about a fair end to the fighting by the use of external force would involve a massive commitment of long duration with uncertain prospects of success. I would agree with General Odom's assessment as an approximation of what it might take, but I am not sure that that would be enough. I think it might take that kind of a commitment, and we would find at the end of the day that we were still left with an unresolved situation, akin to Northern Ireland or Lebanon.

Critics of the U.S. Government and European governments often accuse those governments of failing to stand up to Milosevic, of being morally insensitive, and of overlooking very simple low-risk, low-cost sorts of surgical uses of military force that would end, if not reverse, such atrocities as ethnic cleansing.

If it were so easy, believe me, the governments involved would have taken such steps by now, because they are not morally or politically insensitive to what is going on. In fact, they have been under significant pressure in the course of the conflict, particularly in Bosnia.

The fact of the matter is that the governments involved also have to reckon with the consequences of trying to deal with the situation, and I believe that they recognize perhaps more than some of the critics and outside experts that those risks and difficulties are formidable.

The reason why the risks and difficulties of intervention are so formidable is not so much the complexity of the situation, but rather the strength of the cause of Serbian nationalism. I want to be clear about this. One can reject that cause, and I readily do. One can abhor the acts that are committed in the name of Serbian nationalism, and I certainly do, as I know everyone in this room would.

However, it is at our own risk that we underestimate the force of that cause. This is not opportunism on the part of a psycho-

pathic, cunning culprit in Belgrade—though we are in fact dealing with such an individual. We are facing a more formidable foe.

Because of history, because of geography, because of what happened to Serbs in the past, the fact of the matter is many Serbs today, many in Serbia, certainly those living outside Serbia properly, feel quite strongly that Serbians should not be allowed to live under Croatian or Muslim rule. They therefore are impelled by the vision of a greater Serbia as a way to ensure that Serbs will never again be slaughtered as they were 50 years ago.

I am not trying to apologize for this point of view. I am simply trying to point out that it is a strong point of view. Therefore, the notion that the right smart bomb down the right chimney will bring this tragedy to a screeching halt is, I believe, an illusion.

I think, to get to my third point, the administration's approach recognizes these difficulties, recognizes these risks. I think it is a serious and sober approach, and I do not disagree with a single detail of it.

At the sametime, I think it has to be recognized that the defects in the Owen and Vance plan are a product of the strong negotiating position of the Serbs and the fact that the Serbs have not been under any significant pressure. To suggest that the United States now will assume greater leadership, which I think is very commendable, while at the sametime suggesting that we want to improve upon a defective negotiation, is a very tall order. It will require that we bring considerable more pressure to bear on the Serbs.

Again, I think, the administration recognizes this by trying to engage the Russians more constructively, by trying to strengthen the economic sanctions, and by insisting that U.N. resolutions and agreements reached be observed and honored. But I just do not know whether these pressures will be enough to change the game.

In the meantime—and this could be a long process before we come up with a fair political solution—in the meantime, the fighting will continue, the suffering of innocents will continue, atrocities will continue. The most immediate problem for us is what we intend to do about that, and in particular what we intend to do about interference with the delivery of humanitarian relief.

Do we, or do we not, intend to use force as authorized under U.N. Security Council Resolution 770? I think this is the most pressing question that the Government faces.

My last point is about American presence on the ground. This is something on which the Bush administration's policy was well-known. President Clinton and Secretary Christopher have indicated a different point of view. I think this is an important change. There will be no peace in Bosnia without a very substantial international military presence on the ground there, much more robust, with much more permissive rules of engagement than anything the international community has done before. With or without an agreement, there will be no peace in Bosnia without such a ground presence. There cannot be a successful ground presence, well-run, of the proper magnitude, without American participation.

The great danger of American participation is that, if it is discovered that the initial presence is inadequate, one quickly reaches the point where only the United States has not only the will but

the capability to increase, so that if 30,000 is inadequate and we have to go to 60,000, it is the United States that bears that burden predominantly.

Senator BIDEN. Why do you say that? That may be politically true, but are you suggesting it is—

Mr. GOMPERT. It becomes more and more the case the larger and larger the burden, because only the United States has the integrated capacity to move, support, and operate large-scale forces at a distance.

This is something we planned to do for 40 years in Europe. It is something we additionally planned to do with regard to the Persian Gulf. It is something that our European allies were never asked to do during the cold war.

Senator BIDEN. I am not taking issue with you. I just want to make sure I understand. France is not much of a distance. Germany is not much of a distance. I do not argue with your contention, if it is that the political will in France, in Germany, in England may not be there. That seems fairly obvious now.

But I just want to make clear, are you suggesting that the physical ability of France or Germany, if they have the political will, or England, to up the ante by 30,000, 40,000, 50,000, 70,000, or 80,000 troops each is not there? It seems to me that it is evident provided that it is there, the will is there, or maybe I am wrong.

Mr. GOMPERT. I believe, even if the will were there, their capacity to do it is limited to the order of 5,000 to 10,000 troops personally.

Senator BIDEN. OK. I just wanted to make sure I understood you.

Mr. GOMPERT. It took our allies, who have significant professional military leadership and organizations, some 8 weeks to deploy a few thousand UNPROFOR troops each to Bosnia. So my point is both as a matter of political will—because the U.S. we will always find it more difficult to accept failure—but also as a matter of military capacity, at least for the next several years, the burden would fall increasingly on the United States the larger and larger the response had to be.

Senator BIDEN. I pursue this because I know of your background and expertise and it is greater in both instances than mine. If what you say is true, we obviously have been in deep trouble for the past 20 years with NATO, because what you say suggests the inability to project force a similar distance, force in the magnitude of 100,000 or 200,000 persons, even if the will were there.

Mr. GOMPERT. We may have well been in deep trouble if it had come to a sustained ground war.

Senator BIDEN. I am not talking about sustained, I am talking about the transfer of force, the movement, the airlifting.

Mr. GOMPERT. The European allies had the responsibility of forward defense and the calling up of reserves in order to reinforce that forward defense. The United States had the responsibility to project force at a distance in large volume.

But for the fact that the British had some forces in Germany, that the Dutch had some forces in Germany, you did not really see, either as a matter of doctrine or a matter of capability, a European capacity to project and sustain force in an effective way.

Senator BIDEN. The reason I am pursuing it is because what you are saying surprises me. You know, you can load up 20 troop trains in Paris and get to Zagreb faster than you can get by rail from here to parts of the Midwest, and so I have trouble contemplating this.

It is one thing to move 2,000, 20,000 and 200,000 forces by land, by sea, and by air from the capitals of Europe to the sands of Saudi Arabia—the sands of Saudi Arabia, initially. It seems to me a very different thing going through friendly territory without any threat or concern from a military standpoint in order to get from any part of Europe over a period of several weeks with thousands and thousands of troops into Zagreb.

Mr. GOMPERT. Let me pursue this just a bit more if I could, so that you do not misunderstand me.

I believe that the Europeans can and should do more, both currently and as part of a substantial peacekeeping force that is required. I believe the only way to get them to do more is by including an American contingent.

Senator BIDEN. I agree with all of that. I was responding only—and if I misunderstood you, then I apologize. I was responding to your assertion, or what I thought was your assertion that they did not have the physical capability, even if they had the will, to up the numbers in increments of 10,000 and 20,000 if that was required. That is the part that surprises me.

If you had said to me, it is difficult for them to, if we were going to go from a combined ground force of 30,000 to a combined ground force of 750,000, I would say to you, well, I understand the problem. That may be difficult. But to go from a ground force of 30,000 or a ground force of 100,000 even, it seems to me that that is logistically, for the Europeans, even non-NATO members like France, not something that would be in a physical sense difficult to do over a matter of weeks.

Mr. GOMPERT. I think you are right to say that the answer lies in the numbers. If one is talking about some tens of thousands.

Senator BIDEN. That is what I thought we were talking about.

Mr. GOMPERT. With U.S. leadership.

Senator BIDEN. Right.

Mr. GOMPERT. With U.S. organization, with U.S. logistical support, U.S. lift, and so on, then yes, the more allies, the easier it is to get there from here, obviously.

Senator BIDEN. Again, for the record neither you nor I are suggesting that we put in 50,000, 100,000, 200,000 ground forces. I am not suggesting we put in any at the moment. Well, I think I am beating a dead horse here.

Mr. GOMPERT. Just to conclude this, Mr. Chairman, if we find that the requirement is significantly greater than what we initially planned for because we find that once we get in it is very difficult to say we are going to perform this task but not that task, we are going to protect these people but not those people, and we are drawn into a very substantial responsibility to pacify Bosnian and keep it peaceful, then it might not be 100,000, it might be some multiple of that. My point is that then the burden will fall disproportionately on the United States.

Senator BIDEN. I agree. I think by almost any definition I have not seen anything where the burden had not—and I am not being

solicitous here, but where the burden had not fallen disproportionately on the United States.

I have great respect for our European heritage, but I am not optimistic about our European allies acting in their own interest or in a collective way at this time, but again, that is the pessimistic side of me.

Mr. GOMPERT. I will just conclude there, if you want to pursue your questions, Mr. Chairman.

Senator BIDEN. Mr. Neier, why do we not hear from you, and then I will ask my questions.

**STATEMENT OF ARYEH NEIER, EXECUTIVE DIRECTOR,
HUMAN RIGHTS WATCH, NEW YORK**

Mr. NEIER. Thank you very much, Mr. Chairman. I am very glad to be here. I have a 12-page statement for the record, and I will not read it.

Senator BIDEN. It will be placed in the record along with yours, Mr. Kenney.

Mr. NEIER. I want to speak briefly about matters that have arisen which I did not address in the prepared statement. I want to focus particularly on what happened yesterday, after I wrote the statement, when the United Nations High Commissioner for Refugees decided to suspend all aid, or virtually all aid to Bosnia-Herzegovina, and the role that the United States ought to play in the crisis that has been—the new crisis that has been created by this decision of the United Nations High Commissioner for Refugees.

Before I do that, if I could turn for just one second to the question of what interests the United States has, quite aside from the moral interest, which I think is the overriding interest in this particular circumstance, I would suggest at least one other significant interest of the United States and again, it is aside from the question of regional conflict and the spillover effects of the conflict.

That interest is that we are in a period of a worldwide epidemic of nationalist conflict, conflict along ethnic, religious, and racial lines, conflict in many parts of the former Soviet Union, the Middle East, Asia, and Africa.

Of all of these conflicts, the one that has been most visible has been the one that is taking place in the former Yugoslavia, and particularly Bosnia-Herzegovina. It is also the one which, to a greater extent than anywhere else, involves the deliberate intent to destroy a pluralist society.

It does seem to me that in a period in which there is such an outbreak of ethnic and religious conflict it is an extremely important interest of the United States to make it known that such an effort to wipe out pluralism will not succeed, because if it does succeed the implications worldwide are truly horrendous.

It does seem to me that the advocates, the demagogues who are ripping up nationalist and religious fervor in various parts of the world, will look at the impotence of the international community in responding to Bosnia-Herzegovina, and they will not feel deterred in any way if the world community is unable to respond to this crisis.

On the other hand, if the world community does finally manage to involve itself in some significant way and try to halt this horrendous crime of ethnic cleansing, that that also would have a significant effect worldwide.

So I would suggest that the role of the United States worldwide is implicated by the way in which we respond to what is going on in Bosnia-Herzegovina.

With respect to the particular crisis that results from the decision of the UNHCR to suspend the delivery of humanitarian assistance, I think it is important to emphasize, as the foreign minister did, that one of the ways in which ethnic cleansing takes place in Bosnia is through the blockade of the delivery of relief supplies. That is the purpose of the blockades, is to make life insupportable in the communities which have been besieged in this fashion.

The people in those communities are shelled, they are sniped at, they are cut off from food and from the fuel that is required for heating, they are cut off from medical supplies, they are cut off from running water in most of those communities, and as the winter ends and the process of keeping warm is no longer so critical, they are going to face very significant public health problems because of the sewage in those communities that will leak into the water supplies that they are able to obtain since the usual water supplies are not available to them.

So these sieges either kill people by direct shelling and sniping or through the denial of humanitarian assistance, or they force people to eventually try to evacuate those communities and ethnic cleansing takes place in that fashion.

The particular crisis in this instance was triggered because the Bosnian Government demanded that the UNHCR try to deliver aid to the towns of Eastern Bosnia. The UNHCR did launch a convoy for the town of Cherska. Some 4,000 to 5,000 people had walked out of Cherska in early January. They had by foot crossed the hills in the middle of the snow. A number of them died en route, but they eventually got to a place of some safety, but it was a triumph for those who were engaged in ethnic cleansing when those people left.

The UNHCR had been blocked for several days by Serbian troops from getting the convoy into Cherska. There had been a number of other communities which have been wholly cut off. In one of those communities, Jeppa, when the UNHCR did get in there they found operations being conducted with wood saws and without anesthetics, amputations being conducted in that fashion, and people eating bread that had been made out of straw.

So the humanitarian consequences of these sieges are very severe indeed, but I think the most important aspect of these sieges is that they are one of the mechanisms of ethnic cleansing.

The UNHCR in cutting of virtually all of its relief efforts in effect was taking a desperate stand, and I think because of a desperate situation.

Whether or not it is the right stand for the UNHCR to have taken indicates that it is impossible to deliver humanitarian relief by humanitarian means only. There has to be a willingness to provide forceful assistance to those who are delivering relief if that relief is to get in.

When Warren Christopher spoke the other day, he said in his statement that the United States would become involved in the delivery of humanitarian assistance. He also said, and I think it is probably important to quote his words exactly, that the administration had not ruled out quite determined steps to make sure that the aid gets to those in the country who are starving and need medicine.

Well, I think it is important that the administration has not ruled out. I think it is also critical that if determined steps are to be taken, they be taken at this moment, because those people are not going to survive very long if the UNHCR deliveries of humanitarian relief that have been getting in no longer get in to the people who depend upon them for survival.

Unfortunately, I do not think it is possible to detect any effort by the administration in the 8 days since Mr. Christopher made his statement to become involved in the delivery of humanitarian assistance. I think that this is the moment to take those quite determined steps. I think what it would require is United States leadership at the Security Council to increase the level of protection for those who are engaged in the delivery of humanitarian assistance so that they are actually able to get through to those towns where they have been cut off.

That is, I am not talking about the United States involvement in any kind of peacekeeping activity or peacemaking activity or combat role or anything like that. But I do think that there is an urgent role simply in using military force in order to make sure that——

Senator BIDEN. Now, I am confused.

Mr. NEIER. I'm sorry——

Senator BIDEN. You said you are not advocating the use of force?

Mr. NEIER. For combat purposes. That is, I am not saying that the U.S. ought to go attacking Serbian forces, bombing the artillery, or anything like that. I am simply saying that the humanitarian convoys and the planes bringing in humanitarian relief have to have stronger military support so that the forces that are blockading them are not able to impose their will on those convoys.

Senator BIDEN. I am confused. I guess what you are saying is that we do not initiate.

Mr. NEIER. We do not initiate.

Senator BIDEN. But we do respond.

Mr. NEIER. I think that if they are fired upon they would have to have the right to respond. And I think that would be crucial. And there as to be enough military force, then, so that the people who are conducting these blockades would be hesitant to fire upon those who are providing the protection.

I think if there is light military protection for the delivery of humanitarian assistance, one is exposing——

Senator BIDEN. Do you believe it is an overwhelming Serbian force that is stopping these convoys now? My understanding is it is not that at all. They just say do not come. They just say turn around.

Mr. NEIER. I think it is a combination. I would say it is sort of halfway in between, and the UN forces themselves are not at all uniform in the way in which they respond to the blockades. The in-

formation I have been able to gather, for example, is that the British forces accompanying the convoys are a great deal more aggressive than the other forces accompanying the convoys. And they have been insistent on pushing through in a number of places where they have been told by the Serbian forces you do not go through. Whereas the Ukrainians, Egyptians, and French and others—the Spanish who are there, have not been comparably insistent on going through.

So I think that if there were a larger military force and the rules of engagement for that military force were such that it was clear that they could respond to attacks upon them, I believe they could get through to those towns in Eastern Bosnia.

Also, if one is going to use airlifts to some of those besieged communities, one would have to have protective military cover for the airlifts. I think an airlift is a very chancy thing, but it is impossible to deliver the supplies unless there was appropriate cover for the planes delivering the supplies.

Senator BIDEN. Again, I am not attempting to be argumentative.

Mr. NEIER. Yes.

Senator BIDEN. I am attempting to elicit information. My understanding is that as the rules of engagement now stand, in fact, they were fired on as they can return fire.

Mr. NEIER. The rules of engagement, as I heard them there, were they can return fire if they can see those people who are firing upon them and if they are no more than 50 meters away. That is a very limited possibility of returning fire.

The British have returned fire in circumstances that go beyond that, and that is part of the reason that they have been somewhat more successful than the other troops in being able to get convoys into besieged communities.

But if you expand the—if you make the rules of engagement substantially different and there is a very substantial military escort, I think it is possible to get those convoys in, but the UNHCR in the present circumstances cannot possibly get the convoys to those besieged communities.

[The prepared statement of Mr. Neier follows:]

PREPARED STATEMENT OF ARYEH NEIER

Thank you for inviting me to testify before the Committee. My name is Aryeh Neier. I am Executive Director of Human Rights Watch, the parent organization of five regional Watch Committees that monitor human rights in their regions. One of those regional divisions is Helsinki Watch which has long worked to promote human rights in Yugoslavia and its successor states. I appear here for Human Rights Watch and its Helsinki Watch division. We are grateful to you for the attention that you and your staff have paid to human rights in former Yugoslavia and for this opportunity to testify.

In my testimony I will focus on recommendations for some measures that should be taken by the United States to promote human rights. I will do so in the context of the statement by Secretary of State Warren Christopher on February 10 setting forth the Clinton administration's policies on the former Yugoslavia on the assumption that, broadly speaking, that statement set forth the parameters within which the United States is prepared to act. I would have preferred a somewhat different statement making it explicit that the United States supports the use of force to ensure the delivery of humanitarian assistance and making clear the humanitarian and human rights preconditions for continued negotiations. Moreover, we believe that the United States has a duty, as a party to the Genocide Convention to join with others in taking effective action to prevent and suppress genocide. At this time, however, it seems most useful to focus on what may be done by the United States

under the Clinton/Christopher plan to alleviate the suffering that has been caused by human rights abuses and to end those abuses.

Before setting forth our specific proposals, I want to provide a few words of background about our own organization's work in the former Yugoslavia.

Human Rights Watch and its Helsinki Watch division have closely monitored the human rights situation in the former Yugoslavia for more than a decade. Over the course of that period, we have published numerous highly detailed reports documenting human rights abuses. Since the outbreak of armed conflict in Croatia in 1991 and in Bosnia-Herzegovina in 1992, we have stepped up our monitoring and have published reports on Serbian abuses against Croats in the war with Croatia; on Croatian abuses against Serbs in that war; on Kosovo; and a book length report last August on "War Crimes in Bosnia-Herzegovina." In early January, Helsinki Watch and the Women's Rights Project of Human Rights Watch conducted a mission to investigate the widespread practice of rape in the conflict. In about two weeks, we will publish another book length report on war crimes in the Bosnian war documenting abuses region by region; every Bosnian municipality is covered in the report.

To collect the information that is contained in these reports, the Helsinki Watch division of Human Rights Watch currently maintains its own staff continuously in different parts of the former Yugoslavia. In addition, many other members of our staff and officers of our organization visit the former Yugoslavia frequently, often for extended periods, to take part in the collection of information. I myself have had the opportunity to visit twice since the beginning of the year; in January, when I went to Croatia and to Bosnia-Herzegovina's besieged capital, Sarajevo; and again this past week when I returned to Croatia.

In the course of my own visits, I met with officials of the Bosnian and Croatian governments, including the Deputy Prime Minister of Bosnia-Herzegovina, Hakija Turajlic. Four days after I had lunch with him in his office in Sarajevo, he was murdered point blank by Serbian soldiers as he sat in a United Nations vehicle that had been opened by U.N. soldiers for Serbian inspection. Others I met with included the Defense and Interior Ministers of Croatia to discuss the measures they are taking to punish their own forces for human rights abuses they have committed. Also, I met with military personnel; leaders of intergovernmental, governmental and non-governmental agencies responsible for humanitarian assistance; and I conducted interviews with many men and women who had been forced out of their homes and communities, confined in detention camps, transported in closely-packed cattle cars, sent on forced marches, tortured and otherwise abused and who had been witnesses to some of the most horrifying abuses of human rights that I have encountered throughout a professional career that has been devoted to the protection of rights.

In making recommendations, I will cite particular passages of Secretary Christopher's statement and suggest what might be done to carry forward the policy he set forth.

Secretary Christopher stated:

[T]he President is taking steps to reduce the suffering and bloodshed as the negotiations proceed. He's calling on all parties to stop the shelling and other violence.

This is a crucial point. It is not enough that efforts should—be made to end the suffering and bloodshed caused by this war of ethnic cleansing by means of negotiations; these must be ended, as the Secretary said, while the negotiations proceed. Indeed, we insist that they must be ended before the negotiations proceed further. We believe that the great mistake that has been in the negotiations up to now is that human rights and humanitarian commitments, and monitoring of compliance with those commitments did not precede all else. The failure to proceed in this way has allowed the Serbian forces to use the negotiations as a cover, forestalling a forceful international response.

Secretary Christopher's reference to the shelling was on point. Again, it is the view of Human Rights Watch that it is wrong to conduct prolonged negotiations over constitutional and territorial arrangements while the indiscriminate shelling of civilian communities in Sarajevo and the towns of eastern Bosnia continues throughout. In and of itself, such indiscriminate shelling is defined as a war crime under Additional Protocol I of the 1949 Geneva Conventions.¹

¹Article 85, Section 3 provides that "the following acts shall be regarded as grave breaches of this Protocol when committed willfully, in violation of the relevant provisions of this Protocol, and causing death or serious injury to body or health: (a) making the civilian population or individual civilians the object of attack; and (b) launching an indiscriminate attack affecting the civilian population or civilian objects in the knowledge that such attack will cause excessive loss of life, injury to civilians or damage to civilian objects * * *"

Another cause of great suffering that must be addressed before the negotiations proceed, and not merely as a goal to be achieved through negotiations, is the obstruction of the delivery of humanitarian assistance. At this moment, there is extensive press coverage of Serbian obstruction of a United Nations relief convoy to the Cerska/Kamenica area, a community that was entirely cut off by a blockade for nine months. It should be clear that these blockades are part of the strategy of ethnic cleansing, as the experience of the town of Cerska indicates. After bringing the residents of this community to the point of starvation, it was broadcast on Serbian television and radio that for "humanitarian reasons" the Serbian forces would allow people to leave the area and not attack them as they left. Between January 30 and February 5, some 4,000 to 4,500 did leave by foot. As a consequence of shelling, cold, exhaustion and enfeeblement due to long periods of malnutrition, an unknown number died on the journey to Tuzla where most of these persons forced out of Cerska/Kamenica have now gone.

Mr. Christopher stated that:

[President Clinton] has urged that humanitarian aid be allowed to flow to those in need. And we are considering further actions to promote greater delivery of this aid.

This is another crucial provision of the Clinton/Christopher plan. Again, the delivery of aid is required not only for humanitarian reasons but to deal with the central human rights issue of the conflict, ethnic cleansing, which takes place in parts of Bosnia-Herzegovina by means of sieges and blockades of the delivery of humanitarian assistance.

Ethnic cleansing measures—summary executions, mistreatment in detention camps, deportations and forced transfers of people—are, like indiscriminate shelling, explicitly designated as war crimes by the Geneva Conventions. Rape is also being used as an ethnic cleansing measure, terrorizing and displacing women and their families. While not explicitly mentioned as a war crime, rape is clearly covered by the Geneva Conventions' prohibition on torture or inhuman treatment and willful causing of great suffering or serious bodily injury.²

If the mediators were to reverse their agenda even at this late date and demand human rights and humanitarian commitments, and their enforcement, the process would at last serve a useful purpose. If such commitments and enforcement could not be obtained, the mediators should make clear publicly who is to blame. The international community could then determine its response which up to now has been shaped at every turn by the mediators' insistence that their negotiations should not be jeopardized.

In considering further actions to promote greater delivery of humanitarian aid, it seems evident that military protection for the delivery of this aid must be enhanced. It should be possible for those delivering the aid to insist on going through whatever obstacles are put in their path. To do so, sufficient force must be provided to guard both ground and air deliveries. It is not the province of Human Rights Watch to suggest whether the requisite military protection should be provided by strengthening United Nations forces, bringing in NATO or bringing in U.S. troops directly. Yet just as it was necessary to use military force to protect the delivery of humanitarian assistance in Somalia, so it is required in Bosnia.

In calling for such military protection for the delivery of humanitarian assistance, Human Rights Watch is not urging U.N. forces, NATO forces or U.S. forces to take on a combat role. The experience in Somalia suggests that this can be almost entirely avoided provided that the level of protection afforded to those delivering humanitarian assistance is sufficiently great to deter attacks. (Prior to the arrival of 24,000 U.S. troops in Somalia, the few hundred U.N. troops there had been confined to their barracks because they were no match for the Somali warlords.) Inevitably, of course, ensuring security for protection forces would require a warning that those attacking humanitarian convoys or the troops protecting them would be subject to swift and sure reprisal. This is what has kept international forces from having to engage in extensive combat in Somalia. Similarly, the prospect of such reprisal is what has allowed a handful of poorly armed U.N. guards to keep Saddam Hussein's troops in Iraq from crossing into the internationally guaranteed security zone in Kurdistan. Also, of course, the Bush administration's threat, by itself, that the U.S. would respond to any Serbian military action in Kosovo has been effective up to now without more. We are pleased that Secretary Christopher reaffirmed this threat.

² Article 147 of the Fourth Geneva Convention of 1949 provides that "Grave breaches to which the preceding article relates shall be those involving any of the following acts willful killing, torture or inhuman treatment * * * willfully causing great suffering or serious injury to body or health, unlawful deportation or transfer or unlawful confinement of a protected person [i.e., a noncombatant] * * *"

Another aspect of humanitarian assistance that the United States should deal with urgently is to ensure that assistance reaches the surviving non-Serbian minority in Serbian controlled areas where a great deal of ethnic cleansing has already taken place. It is extremely difficult for the United Nations High Commissioner for Refugees and the International Committee of the Red Cross, which operate in these areas, to see to it that fair distribution takes place. Even without resort to further killings, rapes and confinements of civilians in detention centers, the authorities in these areas are able to continue ethnic cleansing simply by keeping food and medical care from reaching minorities. A significant international presence is required. The International Committee of the Red Cross has publicly called for an increased role for United Nations Protection Forces to protect minorities in these areas in their places of residence. This would require their forces to be strengthened, with warnings of severe reprisals if they are attacked. Here too, it is beyond our own scope and competence to say whether the forces should be U.N., NATO or U.S. troops. At a minimum, however, we call on the United States to ensure the deployment of troops to promote the greater delivery of aid in accordance with the Clinton/Christopher plan.

At this time, there is almost no information available about what is required in the way of force to ensure delivery of relief to Bosnia's besieged communities. Before U.S. involvement in protecting the relief effort can be considered, the Pentagon should assess precisely the requirements for ensuring an effective relief effort, including the rules of engagement, the numbers of troops, the equipment, weapons and materiel. The more detailed the study, the more useful it would be. The document should describe in detail the precise security needs of every stage of the relief effort throughout Bosnia (including the numbers of troops needed to open specific corridors, guard individual warehouses, accompany each convoy, protect distribution at individual sites, traverse Serbian lines at various points, and protect humanitarian workers at specific locations).

Such a study would serve several purposes. First, it would inform officials within the Congress and the executive branch as they consider the question of humanitarian intervention and clarify what the actual implications would be with respect to troop commitment, risk and rules of engagement. Second, it would assist the United Nations by identifying the areas where additional support is most needed, and encourage other governments to offer forces to meet specific needs. Third, the public release of those portions of such a document that could be made public would put the Serbian authorities on notice that the United States is serious about protecting an effective relief effort. We would appreciate this Committee's requesting such a study from the Department of Defense and the intelligence community at the earliest possible opportunity.

Mr. Christopher also stated:

The President is also seeking the creation of a war crimes tribunal at the United Nations to bring justice and to deter further atrocities.

Since last August, when the Chairman of the Senate Foreign Relations Committee, Senator Pell, and Human Rights Watch independently called for the establishment of such a tribunal, the proposal has gained considerable momentum. We ask that the United States should introduce a specific resolution for the creation of such a tribunal in the U.N. Security Council or the General Assembly and should press for its adoption as an urgent matter. In addition, we call on the Department of State to draft a proposed charter for such a tribunal.

Another step that the United States could take that would be of great importance would be to devote extensive resources to the collection of evidence for such a tribunal and to make this widely known. U.S. surveillance technology could be employed, for example, to document the indiscriminate nature of the shelling of Sarajevo and the towns of eastern Bosnia and the U.S. should undertake to collect the names of all the officers responsible for this shelling. Similarly, it is crucial to collect evidence on responsibility for ethnic cleansing by means of the blockade of humanitarian aid and by the killings, rapes, torture, detention of civilians and forced expulsions. These are all war crimes.

To date much of the hard evidence of war crimes has been collected by a handful of non-governmental organizations, especially the Helsinki Watch division of Human Rights Watch and by Physicians for Human Rights. We will persist in these efforts and have been turning over the evidence we collect to the War Crimes Commission established last October by the United Nations Security Council. In our view, this effort has been greatly enhanced because the United States has undertaken its own systematic effort to collect evidence. Also, we believe that disseminating widely the information that this is being done, and making it clear that the names of those responsible for specific crimes are being collected, would have a deterrent impact on

those committing these crimes. Up to now, they may have persuaded themselves that an amnesty would be part of a negotiated settlement or that most of the guilty will be protected because the evidence to associate them with specific crimes will be lacking. (Dr. Radovan Karadzic, the Bosnian Serb leader cited by former Secretary of State Eagleburger as someone who should be tried for war crimes, has made light of this in press interviews.) If these are factors in their thinking, a well-publicized, aggressive effort by the United States to collect evidence of war crimes, and insistence that such crimes may not be forgiven as part of a negotiated settlement, would disabuse them of such thoughts.

Finally, we note Mr. Christopher's statement that:

[The President has taken steps to make clear to all concerned that the United States is prepared to do its share to help implement and enforce an agreement that is acceptable to all parties.

The United States looms larger in world affairs than ever before. Accordingly, our government's willingness to do its share is essential. At the same time, we trust that, in accordance with the remainder of Mr. Christopher's remarks, the United States will do its share before an agreement and not only after one is reached. Many grave human rights issues will arise after an agreement, which we do not address at this time. For now our concern is that urgent human rights matters must be attended to in advance of an agreement.

Thank you very much for listening to our views.

Senator BIDEN. Well, that is very helpful. Let me begin my questioning where we just ended, with you, Mr. Neier, and ask each of you to respond, if you would.

My understanding, and it relates to your point, Mr. Gompert, about underestimating the Serbian nationalism that is fueled, at least in part, by a "never again" mentality; it is a refutation of that point, which states as follows: there is a literal and figurative Mafia in Serbia that is the real underpinning of Milosevic.

It is not the regular army, it is more a group of thugs with sufficient military hardware to demonstrate a cohesive military front that is causing the blood, pain, and suffering, sustained in Bosnia. Whenever greeted with a determined physical opposition they have either withdrawn or eventually ceased their attempts at various forms of aggression, be it stopping a convoy or raining mortar shells on a city, a civilian population.

Do any of you have reason to believe that that characterization of the opposition is accurate, or is it more what Mr. Gompert suggests, as I read between the lines, that this is a determined Serbian—I use the phrase you did not use—pan-Serbianism—effort to guarantee their long-term security as Serbs, that is relatively widespread and is born out of nationalist sentiment, as opposed to a group of thugs surrounding a modern day war criminal who is, like all bullies, likely to respond to only one thing: counterforce.

Mr. NEIER. Senator, I am not sure that the two are inconsistent with each other. I think that it is possible for those to exist side by side. Such information I have on the people who are doing the sieges comes in part from people who have been with the United States military, who in some instances have literally walked into besieged communities going through Serbian lines in order to get to those communities, and have tried to assess what is going on.

The picture that has been painted for my by those people is that by and large, some of these sieges involve a relatively small number of troops who have heavy weaponry and who are able to maintain these sieges because of the weaponry, but they do not have the infantry that is capable in many of these cases of actually going into these towns and overrunning the towns. And so all that they are able to do is they keep shelling them and the keep machine

gunning from a safe distance. But they rarely get themselves into a position where somebody is actually firing back.

The Foreign Minister referred to horses as well as men, and again, I have had described to me by former U.S. military people in the area these convoys of horses and men who have supplied certain towns by going through these lines at night and being able to pick up a certain amount of supplies and bring them back into some, not all, of these besieged communities. But they paint a picture of not a large army there, but a relatively small number of people with an awful lot of weaponry.

Senator BIDEN. Let us discuss your assessment of the potential impact of arming the Bosnians. On one side of the picture, every time we talk about the use of massive force, it is always in conjunction with arriving at an ultimate settlement that guarantees peace and security both for Bosnia and for the region as a whole.

And yet, it seems to me that with very little force, with literally no help, no weaponry to speak of, the Bosnians have done amazingly well for what they do not have. And whenever force has been exerted, counterforce has been exerted, and there has been a reduction in the resistance.

Mr. KENNEY. Senator, if I might speak to your point.

Senator BIDEN. Yes.

Mr. KENNEY. I think you are exactly right in your characterization of the Serbian forces as a group of thugs. From my experience and everything that I learn about them it is young men out on a romp. They have learned to kill, they have learned to rape. They are drunk, they loot, they are not motivated by the kinds of things that motivate professional soldiers, and indeed, every time force is brought to bear against them, they fold.

I think, while General Odom's ideas are interesting and I probably support them, I think that he is sort of overdetermining a solution here. If we thought about what these Serbian forces are really like, we could put in a few special forces teams on the ground and that would scare the bejesus out of them. But I do not think we need a lot of people on the ground. Maybe some, but it is certainly worth a try. It is better than letting the Bosnians get killed.

Senator BIDEN. I just wonder, Mr. Gompert, what the effect, and it may be none or it may be transitory, of a couple of F-16's flying across the sky and 20 Cobra helicopters blowing into Eastern Bosnian cities under siege might do. It may be nothing. It may be nothing other than just pleasing people like me to know that there is retribution.

I find myself having the greatest difficulty assessing the nature of the Serbian desire, to, in fact, dismember and cleanse Bosnia of Croats and Muslims. And let me, because I know you all have, like I do, trains and planes to catch, let me ask you, Mr. Gompert, a question that relates to something you had said that I found of great interest. And that is that the involvement of our European allies—or greater involvement—has been limited by the nature of the commitment that would be required to bring about the minimum result that would be viewed as positive, as a worthwhile objective, balancing the goal with the risk to accomplish that goal.

I am under the impression that a good deal of the problem has to do with 300 years of history, and more recently, 40 or 50 years

of history—that the Germans reluctance is in part based upon their relationship with the Croatsians, that the French reluctance is in part based upon their historical relationship with Serbia, that Russian motivations are effected by years of pan-Slavic orthodox connections, that what makes this more difficult than Somalia or makes this more difficult than the Persian Gulf is these incredible conflicting ethnic and religious and cultural crosscurrents that impact the people and the leadership of France, Germany, the Netherlands, England, et cetera, as much, if not more than the logistical and physical difficulty of achieving an objective. I may be mistaken, but that is my impression.

Mr. NEIER. Senator, I think it certainly does play a part, but I do not think one should overstate it in this respect. There are things in this situation that are relatively novel, historically. For example, today we talk of the Bosnian Muslims as an ethnic group. No one thought of them as an ethnic group until about 1970, when Tito decided that they were an ethnic group. Before that, there were Croatian Muslims and there were Serbian Muslims. And since then, they have become an ethnic group by virtue of their religion. I suppose the Jews are the only other people in the world who are defined as an ethnic group by virtue of their religion.

Senator BIDEN. That was the point I was trying to raise with the Foreign Minister.

Mr. NEIER. All that is quite new, and yet part of all this is that there has been whipped up a fear of, for instance, Islamic fundamentalism in the most secular Muslim society that one could possibly think of, and so there are demagogic efforts to exploit history, there are demagogic efforts to deal with quite new phenomena, and these are all intertwined, and then sometimes the fact that these are ancient conflicts or supposedly ancient conflicts is used as a way of suggesting these are insoluble and therefore the rest of the world ought to keep its nose out of the situation.

I do not think that one ought to get paralyzed by the history in the situation.

Senator BIDEN. I do not think we should either. You are making my point better than I was able to make it. I believe these new developments are in large part motivated by or promoted by the demagogic efforts of individuals.

But it seems to me that they are apparently having some impact on European and American constituents who say to me: Joe, you know it is awful what is going on there. And Americans and Delawareans truly feel a sense of empathy, anger, and a desire to do something. But then they say, but you know, there is a thousand years of history in the Balkans. They will never change. It is a quagmire.

Mr. KENNEY. Senator, I think it is very important as a priority attitude to take into this that we not believe people are somehow inherently demonic or angelic or anything. People respond to incentives. When you give them good incentives, you get good results. If you give them bad incentives, you get bad results. In the case of the former Yugoslavia, all social incentives broke down at the same time and a bunch of thugs came into power and turned normal incentives upside down, and so you get this kind of chaos.

But you are exactly right. This is not a question of a thousand years of history working itself out. It is a question of a system having broken down.

Senator BIDEN. Well, gentlemen, I thank you very, very much for your input and would ask if you would be willing to respond again to the committee because, unfortunately, I think this is not going to be the last time this subcommittee or full committee raise these issues, especially as the policy begins to evolve in this new administration with greater clarity.

I appreciate, Mr. Gompert, your input. Again, I was not taking issue with you in terms of the ability to delegate force, and I found your testimony extremely helpful.

Mr. Kenney, I admire your acting on principle as you have, and I look forward to continuing to work with you.

And, Mr. Neier, I truly admire the efforts that you have been a part of for some time to do what seems to me the simplest, but at the sametime the most difficult in trying to ameliorate the suffering and chaos that people are forced to endure.

It is amazing that in this case, unlike many recent international crises, the victims are almost all are noncombatants. And that is one of the ultimate tragedies here.

I thank you all for your input.

[Whereupon, at 5:55 p.m., the subcommittee adjourned, to reconvene subject to the call of the Chair.]

APPENDIX

LETTER TO SENATOR JOSEPH BIDEN FROM PRIME MINISTER MILE AKMAJZIC

February 24, 1993.

The Hon. JOSEPH BIDEN,
Chairman, European Affairs Subcommittee
of the Senate Foreign Relations Committee,
Washington, DC 20010.

DEAR SENATOR BIDEN: This letter concerns the testimony of Mr. Haris Silajdzic, Minister for Foreign Affairs of the Republic of Bosnia and Herzegovina, before the European Affairs Subcommittee of the Senate Foreign Relations Committee on February 18, 1993. As Prime Minister of the Republic of Bosnia and Herzegovina, I wish to advise you that Mr. Silajdzic's testimony as a whole did not represent fully the position of the Government of the Republic of Bosnia and Herzegovina.

The position was established in its November program by consensus in the Government and the Presidency functioning as Parliament. As set forth in this program, the Government fully support the International Conference on the Former Yugoslavia, the Co-chairmen of the Steering Committee, Mr. Cyrus R. Vance and Lord David Owen, and their pursuit of a negotiation solution to the crisis in Bosnia and Herzegovina. We seek to achieve a just peace through this process. In our view, a just peace includes: (1) the return of all refugees and displaced persons who wish to return to their homes, (2) the establishment of an international criminal tribunal to try those accused of war crimes, (3) non-recognition of changes achieved by aggression, including ethnic cleansing; and (4) payment of reparations to those who were damaged as a result of the war.

The Government has also determined that Bosnia and Herzegovina can be politically arranged as a decentralized state. The proposals concerning establishment of provinces are an acceptable solution if not based on ethnic principles, but rather on a combination of ethnic, geographic, historic, economic and other principles developed through negotiations. Our program includes full equality for the three peoples of Bosnia and Herzegovina: Croats, Muslims, and Serbs, as recognized by the Constitution of the Republic of Bosnia and Herzegovina.

The Government has also agreed upon a delegation from Bosnia and Herzegovina which is empowered to negotiate with other countries on all matters that concern our foreign relations. The delegation which represents the Republic in discussions with other countries is a delegation made up of two Croats, two Muslims, and two Serbs. The issues concerning internal matters, including internal political arrangement under auspices or with necessary arbitration of the international community through United Nations or the European Community, are to be negotiated among its three peoples. This is the case with Vance/Owens peace talks, where three parties negotiate and one party is the Government.

I therefore ask you to keep in mind that the testimony of Mr. Silajdzic on the current stage of the Vance/Owen talks and on the national history of Bosnia and Herzegovina is representative of the view of some Muslim members of the Government, and not of the Government as a whole.

Furthermore, please be advised that the mandate of Mr. Alija Izetbegovic as President of the Presidency of the Republic of Bosnia and Herzegovina expired on December 20, 1992. He is presently without constitutional authority to act in that capacity. The Presidency, and not the President alone, is the representative body of the Republic of Bosnia and Herzegovina. Only the Presidency can invoke constitutional emergency powers, not the President alone. The President is merely *primus inter pares*. Like Mr. Silajdzic, Mr. Izetbegovic does not speak for the Presidency as a whole with respect to the current stage of the Vance/Owen talks, but only as one Muslim member of the Presidency.

I regret having to be so blunt in light of the immense suffering of Bosnia and Herzegovina's Muslims. I am nevertheless compelled as Prime Minister to bring the foregoing facts to your attention.

My Government welcomes the support of the United States and we are very grateful for such help. I will be available to discuss these matters and other issues of concern to you.

May I request your kind assistance in circulating this letter to your honorable colleagues in the U.S. Senate and entering this letter as a record of your esteemed Committee.

Sincerely,

MILE AKMAZIC,
Prime Minister.

LETTER TO SENATOR JOSEPH BIDEN FROM PRESIDENT ALIJA IZETBEGOVIC

February 25, 1993.

The Hon. JOSEPH BIDEN,
*Chairman, European Affairs Subcommittee
of the Senate Foreign Relations Committee,
Washington, DC 20010.*

DEAR SENATOR BIDEN: This is to inform you my term as President of the Presidency was extended beyond December 24, 1992, under the Constitutional provisions allowing for the extension of the term due to the "emergency situation." This was done by approval of the Presidency as a whole.

The Presidency represents the Croats, Muslims, Serbs and the "other" in Bosnia and Herzegovina. In addition, all of the members of the Presidency, including myself, continue to hold office under the original mandates by which they took office.

Dr. Haris Sikajdzic is the official head of the delegation of the Republic of Bosnia and Herzegovina to the ongoing talks sponsored by the Conference on the Former Yugoslavia now underway in New York. His testimony before your committee is entirely of the position of the Republic and the Presidency of Bosnia and Herzegovina.

Accept, Senator, the assurances of my highest consideration.

Sincerely,

ALIJA IZETBEGOVIC,
President.

LETTER TO SENATOR JOSEPH BIDEN FROM PRIME MINISTER MILE AKMAZIC

February 28, 1993.

The Hon. JOSEPH BIDEN,
*Chairman, European Affairs Subcommittee
of the Senate Foreign Relations Committee,
Washington, DC 20010.*

DEAR SENATOR BIDEN: With respect to your statement dated February 25, 1993, titled "A Question Concerning the Bosnian Government," I am afraid that you have gravely misunderstood the substance and purpose of the letter I addressed to you on February 24, 1993. I regret that we have not had the opportunity to meet to discuss the issues raised therein, and believe that this has contributed to an unfortunate misunderstanding.

The purpose of my letter was to advise you about the position of the Government of the Republic of Bosnia and Herzegovina with respect to the Vance/Owen peace talks, which is often confused with the position of the Muslim part of the Government. The issues concerning internal matters of Bosnia and Herzegovina, including internal political arrangement under auspices or with necessary arbitration of the international community, are to be negotiated among its three peoples: Croats, Muslims, and Serbs. While the Government as a whole supports the Vance/Owen peace process, there is no single position of the Government on the *current stage* of the Vance/Owen talks. Each of the three negotiating parties has its own position on the proposal as it currently stands.

I also advised you that the mandate of Mr. Alija Izetbegovic as President of the Presidency had expired. This is to demonstrate the immediate need for the international community to assist, not only in protecting Bosnia and Herzegovina's sovereignty and territorial integrity, but also in assuring that the country is governed in accordance with its democratic and constitutional principles.

The Government fully agrees with your view that the war in Bosnia and Herzegovina is a Milosevic-sponsored war of aggression against a state recognized by the United Nations, and not a three-way civil war. Your statement unfortunately attributes to my letter hidden motives or contrary meanings which I assure you do not exist.

I look forward to communicating with you further and remain confident that we will be able to dispel any misunderstanding.

May I once again request your kind assistance in circulating this letter to your honorable colleagues in the U.S. Senate and entering this letter as a record of your esteemed Committee.

Sincerely,

MILE AKMADZIC,
Prime Minister.

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